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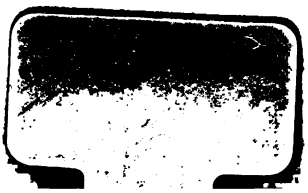

AN ASSISTANT TO THE PRACTICE OF CONVEYANCING;

CONTAINING

INDEXES OR REFERENCES

TO THE SEVERAL

DEEDS, AGREEMENTS, AND OTHER ASSURANCES

COMPRISED IN THE SEVERAL

PRECEDENT BOOKS OF AUTHORITY NOW IN PRINT.

From the Time of SIR ORLANDO BRIDGMAN *- to the preſent Period.*

WITH

SHORT REMARKS on the DISTINGUISHING QUALITIES of each PRECEDENT;

AND

Curſory OBSERVATIONS on the PECULIAR MERIT of the CONVEYANCERS by whom they were reſpectively prepared.

BY JAMES BARRY BIRD,
OF NEW INN, ESQ.

LONDON:

PRINTED FOR W. CLARKE AND SON, PORTUGAL-STREET, LINCOLN'S-INN.

1796.

BIBLIOTHECA·BODLEIANA

PREFACE.

IN compiling the collection of Precedents which I lately ſubmitted to the candour of the Profeſſion, it was found impoſſible to compriſe, within any tolerable compaſs, appropriate forms adapted to every variety of circumſtance which the peculiar ſituations of parties and of property, in an opulent and commercial country, perpetually give riſe to, and for which it is in moſt caſes neceſſary to provide. This ſuggeſted to me the propriety of the following INDEX, as being the moſt convenient, if not the only mode, by which ſuch a defect could be ſupplied. A new advantage ſeems alſo preſented by collecting in one view the ſeveral Precedents prepared by Conveyancers of eminence at different periods of time: as it furniſhes the ſtudent with

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they are prepared, ſeem moſt to merit the Student's imitation.

But in this, as well as every other part of the preſent volume, I am conſcious of needing the Student's utmoſt indulgence. It was impoſſible (in the ſhort period allowed me) to read over with the requiſite attention every Precedent contained in the many volumes to which it was neceſſary to refer. I was obliged therefore in general, to content myſelf with ſuch inferences as I was able to draw (as well in reſpect to the matter of each Precedent, as the contents of each volume) from a peruſal of the marginal notes. The difficulty too and care of arranging ſuch a variety of articles in a methodical form, and in ſuch order as ſeemed beſt fitted for uſe, will readily be conceived to have been immenſe: and if it has been attended with any tolerable ſucceſs, it is almoſt more than at ſometimes I dared venture to expect. I am not however without my

hopes of being enabled at a future period to make it ſomewhat leſs imperfect, and render it a compilation not altogether unworthy the Student's attention. In the mean time I have every reaſon to believe, from the reception of my former attempts to benefit the Profeſſion, that my endeavours will be regarded with indulgence, and in proportion to ſuch indulgence ſhall exert my zeal to contribute to their future ſervice.

INTRODUCTORY OBSERVATIONS.

IN addition to the ſhort remarks interſperſed throughout the following pages, characteriſtic of the particular Draughts to which they are reſpectively annexed, it may not be improper to prefix ſome general obſervations relative to the reſpective characters, (as draughtſmen) of thoſe by whom they were ſeverally prepared or ſettled: this will enable the Student, amongſt the various Precedents he will find of a ſimilar import, to have recouſe to the author of whoſe manner he may moſt approve.

The firſt in point of time, whoſe draughts have been collected and publiſhed, is *Sir Orlando Bridgman*, (Lord Keeper in the time of *Charles* II.) This gentleman was of diſtinguiſhed eminence during the period of his practice, and his draughts are ſtill admired and reſorted to by all who deem a propriety of compoſition not incompatible with technical accuracy. In this author the Student will perceive much to admire. The arrangement of his circumſtances is peculiarly eaſy and perſpicuous; his language bold, clear, and expreſſive; and the variety and juſtneſs of proviſions indicate a quickneſs of conception, a ſolidity of judgment, and a great extent of legal knowledge: but, unfortunately, they are given to the public in a manner ſlovenly and indiſcriminate. The great inferiority of ſome to the reſt, affords alſo too much reaſon to fear there has been much interpolation; and every edition of the firſt volume, preſents

fresh evidence of the carelessness of the editors.

The next Precedents I have referred to are those of *Jilly*, the discriminative qualities of which are *neatness* and *accuracy*. The Reader will not discover in them the boldness and freedom which we have remarked in *Bridgman*; but they are equally, and perhaps more to be depended upon. He appears to have been a man of judgment and sufficient legal knowledge, and to have possessed moreover the essential qualifications of care and circumspection. His Precedents have likewise the advantage of having been printed under the Author's own inspection; and are of a date sufficiently recent to possess (with a few exceptions only) all the material improvements, and substantial efficiency of later forms.

The Precedents of *Horsman* (a gentleman of great professional reputation

as a conveyancer) being ſtill more modern, and compriſing a greater variety of Forms than thoſe of either *Bridgman* or *Lilly*, are, it is believed, more reſorted to in practice than any other; but they poſſeſs neither the eaſineſs nor boldneſs of the one, nor the neatneſs of the other: they are many of them clumſy in their form, and all of them coarſe in their ſtile; they are however allowed to be ſafe, and the proviſions, in general, are numerous and proper.

Of the collection publiſhed by Mr. *Williams*, the various hands by which they were prepared render it impoſſible to give a general character: the names however ſubſcribed to them will in general beſpeak their relative excellence. *Filmer*, *Duane*, *Booth*, *Rivet*, *Fogg*, *Fazakerley*, and *Wilbraham*, were all, and more particularly the three firſt, men of high repute, and their draughts eſteemed of the beſt kind; but they are

too few as presented in the Collection mentioned, to enable us to form any distinct notion of the peculiar stile of their respective authors. Those to which are affixed the signature of *J. H.* are indeed more numerous, but as they are supposed to have been drawn or perused by a gentleman now in practice, it would be improper to observe upon them.

As to the Precedents comprised in the original volumes of *Wood*, I shall only say, that I have not thought it necessary to refer to them, whilst those which have been since introduced by Mr. *Powell* (whose eminence as a conveyancer is sufficiently known) have been carefully noticed.

Upon the whole it appears (so far at least as the opinion of the present Compiler is deserving regard) that the Student who would form his stile of drawing upon any of the models which we have referred to, may resort to

Bridgman for a bold and ſcientific manner; to *Lilly*, for a conciſe and neat one; and to *Horſman* rather for uſe than imitation.

With theſe ſhort remarks I ſhall at preſent cloſe my obſervations. At a future period, ſhould the volume to which they are prefixed, meet with a favourable reception, I may poſſibly reſume the ſame enquiry, and purſue it to a greater extent.

AN ASSISTANT

TO

CONVEYANCING.

ACT OF PARLIAMENT.

Act of parliament.

A Short act of parliament enabling a *ceſtui que truſt*, under a marriage ſettlement, to diſpoſe of ſettled eſtates for the payment of debts. 1 *Bridgm.* 221.

To ſell eſtates.

Act of parliament to ſettle eſtates, previous to a marriage, and to empower ſale thereof for raiſing portions, (*a great variety of limitations and proviſions; and drawn with perſpicuity and accuracy*). *Lil.* 698.

References in deeds, to acts of parliament. *Horſm.* 381. 482. 587.

ACQUITTANCES.

Acquittance

ACQUITTANCE by a feme covert (in a deed of appointment) for arrears of an annuity. *Horſm.* 45.

Annuity.

Acquittance or receipt for mortgage money indorſed on the back of the mortgage deed. 2 *Bridgm.* 344. 349.

Mortgage money.

Portion. Acquittance for a portion that was originally secured by mortgage to a truſtee for the huſband, but ſince paid off by a third perſon, (*ſhort but ſpecial*). *Horſm.* 5.

Purchaſe money. Acquittances for purchaſe monies, (by ſeparate inſtruments). 2 *Bridgm.* 75. 342, 343.

The like with reference to the deed of conveyance. *Horſm.* 1.

Acquittance for a part of purchaſe money under ſpecial circumſtances ariſing under a will. *Horſm.* 6.

Common acquittance in a deed for conſideration. *Horſm.* 12. 380. *See* RELEASE.

Admittance

ADMITTANCE.

To copyholds. THE form of an admittance to copyhold premiſes. *Horſm.* 280.

Affidavit.

AFFIDAVITS.

As to incumbrances AFFIDAVIT that premiſes compriſed in a leaſe which is loſt are free from incumbrances. *Lil.* 688.

A general affidavit of premiſes being free from incumbrances. *Ibid.* 690.

That mortgaged premiſes are free from incumbrances. 2 *Bridgm.* 550. *Horſm.* 396.

That the grantor of premiſes was ſeized in fee at the time of the grant, and that the ſame were free from incumbrances; with ſpecial exceptions. 2 *Bridgm.* 551.

Note, *Affidavits relative to the title of eſtates are now much out of uſe.*

Of a purchaſe. Of a purchaſe and conveyance having been made, to prevent premiſes being doubly taxed. *Lil.* 689.

Affidavit of the due execution of a letter of attorney. *Lil.* 533. 690. — Of executing deeds.

Of the execution of deeds, and a memorial. *Horſm.* 823.

AUTHORITY. — *Authority.*

An authority to a ſteward of a manor to enter ſatisfaction upon the court rolls, of monies due on mortgage. 2 *Wms.* 520. (*T. W. W.*) — To enter ſatisfaction

AGREEMENTS. — *Agreement.*

An agreement (by indenture) for further ſecuring an eſtate lately purchaſed, and diſcovered to be encumbered. (*a variety of ſpecial matters.*) *Lil.* 467. — For further ſecurity.

An agreement (in a deed) for referring diſputes which may ariſe in an executorſhip to arbitration. 1 *Bridgm.* 13. — To terminate differences.

The like in relation to partnerſhip concerns. *Ibid.* 331, 349. (*the firſt well drawn.*)

Agreement to convey lands, &c. for the purpoſe of ending family differences. *Horſ.* 926.

Articles of copartnerſhip in the buſineſs of a *weaver;* with ſpecial proviſions. 1 *Bridgm.* 324.

Articles of copartnerſhip relative to the trade of a *brewer*, (*well drawn; with many ſpecial covenants and agreements*). 1 *Bridgm.* 350. — Agreements relative to copartnerſhip.

The like between two *goldſmiths*, (*well drawn*) *Ibid.* 433.

Articles of copartnerſhip between a maſter and his late apprentice in the trades of a *confectioner* and *tobacconiſt*, (*well drawn*). *Lil.* 580.

The like between two *bookſellers* for the term of ſeven years, (*well drawn*). *Lil.* 586.

Copartnerſhip continued.

Articles of copartnerſhip in the trade of a *Dyer*, the one party ſupplies the ſkill and induſtry, and the other advances the money. 2 *Bridgm.* 440. *Horſm.* 236.

Articles of copartnerſhip between *Potters*, one of the partners having a houſe, &c. for that purpoſe; which is to be enjoyed by moieties at a ſtated value. *Horſm.* 240.

Between two *Linendrapers*; the trade to be carried on in the houſe which one of them inhabits: one to bring in two thirds ſtock, and the other one third, and to divide, &c. in proportion; a yearly ſum to be allowed for ſervants' diet, and to entertain cuſtomers. *Ibid.* 245.

Between three *Linen-drapers*; one party finds board, &c. for the other two, upon terms agreed. One party, after a time, may take out part of the ſtock, and another may add to his part. Proviſion in caſe any party does not bring in a full ſhare. *Ibid.* 261.

Copartnerſhip between father and ſon in the trade of a *Hoſier*; the father is to bring three fourths ſtock, and the ſon one fourth, and to divide accordingly: the father has an overplus ſum in ſtock, which he may continue or withdraw; an agreement as to bad debts already due. *Ibid.* 254.

The like between two, in the trade of a *Hoſier*: indulgence as to one party's attendance, &c. and proviſion for continuing the trade in caſe of his death; and to allow the other for trouble, &c. *Ibid.* 269.

The like between *apothecaries*, the coming in partner to have a fourth part of the profits, privileges allowed to the firſt partner as to reſidence, hiring ſervants, and other matters

to great variety of special provisions). 2 *Wms.* 725. (*H. H*). Copartnership *continued.*

Copartnership between the proprietors of a *bathing-house* which they jointly erected, provisions as to the stile of the company, annual meeting of the proprietors, appointment of a treasurer, auditing accounts, making dividends, &c. 2 *Wms.* 746. (*Weston*)

The like between dealers in *carpets*. 2 *Wms.* 767. (*Bunce*)

An indorsement on articles of copartnership, to continue it for a further term; it having been continued once before. *Horsm.* 253. Renewal.

An agreement to dissolve a copartnership; special provison relative to the payment of the debts of the house. 2 *Wms.* 787. (*W. Blackstone*) Dissolution

The like to be indorsed on the deed of copartnership. *Horsm.* 238.

The like in a deed of composition. 3 *Wms.* 709.

Agreement between copartners in the trade of an *Ironmonger*, to permit a third person who has advanced money to one of the partners, to inspect the copartnership concerns, and for charging the interest of the money advanced on his share of the profits who had borrowed the same. 1 *Wms.* 11. (*Kenyon*)

Agreement of creditors to accept of their debts by instalment. *Lil.* 604. See COMPOSITION. Agreement in respect of debts.

Agreement to give a moiety of a debt, supposed to be desperate, to a person who has

discovered affects; such person covenanting to refund should the discovery prove ineffectual. *(well drawn) Horsm.* 7.

Deputyship

Articles of agreement between a surveyor of the customs and his deputy; the deputy to retain a sixth part of the profits. *Lil.* 464.

Agreement between a public notary and his deputy, with a variety of special provisions, *(well drawn) Lil.* 471.

Cancel agreement

Agreement by way of covenant that certain articles of a former agreement shall be cancelled, and that such new clauses shall be introduced as are mentioned in the present agreement. 1 *Wms.* 45 (*I. H.*)

To make division.

Agreement between brothers for making an equal division of money left by the will of their father, notwithstanding any other appointment thereof by their mother. 1 *Wms.* 16. *(Rivet)*

To waive a condition.

Agreement between a brother and two sisters, that one of the sisters, entitled to real and personal estates under a will upon condition of her not marrying a particular person, should notwithstanding a breach of the condition be permitted to enjoy the personal estate on her giving up the real. 1 *Wms.* 21. *(Rivet)*

An agreement or assent of a son (to whom a moiety of his sister's portion was devised over, in case she should marry a particular person) that the interest shall be paid her; such marriage not having taken effect, nor the portion yet payable. *Horsm.* 235.

To deposit a will.

Agreement (in a deed) that the will of a deceased testator shall be deposited in the hands of a third person for the benefit of disputants. 1 *Bridgm.* 13.

Agreement between brothers, co-executors, they being entitled to contingent sums under the wills of their father and uncle, hereby agree to manage particular parts of the estates, and to account to each other: penalties for non-observance. *Horsm.* 8. Manage estates and account.

Agreement in a lease that lessee shall be at liberty to lop trees (with an exception) and to have rough timber for repairs. 1 *Bridgm.* 261. *See* COVENANTS. Lopping trees.

Articles of agreement before marriage to convey or leave by will, the third part of real and personal estates to the wife; a covenant that she shall moreover enjoy any further advantages accruing by the custom of London. *(short)* *Ibid.* 121. 270 *(the same)* Agreements *before* marriage. *(Husband's estate.)*

Articles of agreement before marriage, made by the relations of the parties, for the payment of a sum of money, and surrender of leaseholds to be settled to various uses *(some special, circumstances and provisions; and accurately drawn)* 1 *Bridgm.* 183.

Agreement and declaration in pursuance of an intended marriage that wife when of age shall settle her estate to the uses of such marriage. *Ibid.* 189.

An agreement before marriage, by which the intended husband and wife direct the trustees of a mortgaged term, to get in mortgage monies, and apply same in exoneration of estates settled by indenture of even date. *Horsm.* 41.

Articles previous to a marriage: whereby a jointure is limited, and a term created to raise portions for younger children, in pursuance of powers in that behalf, and covenant to leave them a further sum. *Ibid.* 421.

Marriage agreements continued.

Articles before marriage, for ſettling divers freehold and leaſehold eſtates; with variety of limitations, powers and proviſoes. *Horſm.* 430.

The like; whereby the intended huſband and wife agree, that two bonds (which are her portion) be aſſigned to truſtees; the money to be laid out in lands to be ſettled; ſeveral powers for renewing the truſt, indemnifying the truſtees, and making appointments. *Ibid.* 439.

The like; in which the huſband covenants to ſettle manors, &c. of inheritance, of a conſiderable value, and to make a jointure; and likewiſe for payment of the jointure; and yearly value of the rent, in caſe of his death before ſettlement made; the lady's father covenants to pay further ſums upon contingencies. *Ibid.* 449.

Agreement whereby it is covenanted that a certain proportion of the huſband's perſonal eſtate ſhall be left to the wife and children; and the copyhold of the wife ſhall be ſurrendered to certain uſes. *Ibid.* 453.

The like; by which the intended huſband (in purſuance of a power given by his uncle's will) ſettles a third part of the deviſed lands on the wife, &c.—Covenants to pay off a mortgage, and to ſettle part of that land on the wife, and to enlarge her ſettlement on the falling-in of annuities, and to leave perſonal eſtate to her children. *Ibid.* 491.

Marriage articles; whereby the intended huſband's father covenants to pay him a ſum of money, and another ſum to truſtees: the wife's father covenants alſo to pay a ſum to the ſame truſtees for her portion; theſe two latter

ſums to be laid out in lands, and ſettled. Indemnity to the truſtees. *Horſm.* 504. Marriage agreements *continued.*

The like; by which the intended huſband having before agreed to transfer to truſtees South-ſea annuities, now directs the truſt of them to be inveſted in a purchaſe of lands to be ſettled; proviſions for children's portions, maintenance, and education; directions about clauſes to be contained in the ſettlement. *Ibid.* 465.

The like, that the intended huſband and wife ſhall each have their own ſeparate eſtates; an aſſignment of hers (being perſonal eſtate) to truſtees, to uſes. *Ibid.* 457.

The like whereby the father admits the intended huſband to a ſhare in trade; the moiety of the lady's property ſettled to uſes; her parents advance money in lieu of legacies ſhe is entitled to. 1 *Wms.* 1709. *(M. Duane)*

Agreement before marriage; with aſſignment of part of the woman's perſonal eſtate, conſiſting of leaſehold, bank-ſtock, India bonds, &c. to truſtees, for her ſeparate uſe and diſpoſal; power to ſell, and place out the money at intereſt, and to fill up the number of truſtees; the huſband covenants to leave her a third of his eſtate, if ſhe ſurvive. *Ibid.* 425. *(Wife's eſtate.)*

The like; previous to the marriage of a captain in the Eaſt India ſervice, with a citizen's daughter; containing many diſpoſitions as to the wife's portion, and huſband's eſtate. *Ibid.* 445.

An agreement before marriage, that part of the wife's eſtate ſhall be at her diſpoſal, as therein mentioned. *Ibid.* 454.

Marriage agreements *continued.*

Articles before marriage, containing an acquittance for the wife's portion provided for her by her father's ſettlement; and an agreement as to the diſpoſition of part of an eſtate, coming to her from her grandfather; the ſame to be inveſted in a purchaſe of lands, to be ſettled with uſual limitations. *Horſm.* 463.

The like; where the intended wife being entitled to certain proviſions under her father's marriage-ſettlement, and her grandfather's will, the intended huſband agrees to accept a ſum of money in lieu of them, and on payment thereof to truſtees, to releaſe thoſe demands, but not future contingencies. *Ibid.* 488.

The like; whereby the wife demiſes her jointure, and charges her perſonal eſtate to truſtees for her ſeparate uſe, &c. *Ibid.* 355.

The like; whereby part of the wife's portion under a ſettlement of equal date, being paid, the reſidue is agreed to be placed out by truſtees for the benefit of the huſband, wife, and younger children; the huſband may have the money on ſettling an equivalent in land; indemnification againſt his father's will, and codicil; money and jewels under her mother's will to be at her ſeparate diſpoſal. *Ibid.* 498.

(*Freemen of London.*)

The like, before the marriage of a daughter of a freeman of London; her father covenants to pay a ſum, in lieu of all portions, the cuſtom, &c. and the huſband to pay the like ſum; theſe monies to be inveſted by truſtees in a purchaſe of lands to be ſettled; directions for clauſes in the ſettlement; proviſion for placing the money at intereſt till purchaſe made; indemnity, &c. to the truſtees; even-

tual provisions for the wife in different cases. *Horsm.* 472. Marriage agreements *continued.*

Articles before the marriage of a freeman of London, a widower, who has a son living by a former wife; the husband covenants that his personal estate shall be liable to the custom; and that he will not make a purchase to defeat it: with other special circumstances. *Ibid.* 479.

The like, between a citizen of London (since the act concerning freemen's estates) and a widow, and her trustees; her leaseholds, East India bonds, South Sea stock and Annuities, plate and jewels, settled to be at her disposal; he to take the profits during their joint lives, towards housekeeping; she and their children to have the benefit of the custom of London, notwithstanding the act. *Ibid.* 482.

Articles of agreement after marriage to settle two houses in London, if recovered at law, to the uses of a family provision—the first *cestui que trust* are to bear charges, &c. 1 *Bridgm.* 250. Agreement after marriage.

See SETTLEMENTS.

Articles of agreement for a separation between a husband and wife; the husband demises lands, &c. to provide her a maintenance; with a provisional increase on the death of his father and mother; his trustee covenanting to indemnify him against her debts. *Ibid.* 477. Separation.

Agreement (in a mortgage deed) that if mortgage money be taxed mortgagor shall pay an increase of interest. *Horsm.* 155. Mortgage money.

Agreement (in a deed) that an intended purchaser shall enter, and enjoy possession till de- Purchases.

Purchaſes *continued.*

fault in payment of purchaſe money on a certain day. 1 *Bridgm.* 297.

An agreement for re-purchaſing an eſtate on a reconveyance being tendered by the former vendee. 2 *Ibid.* 476.

An agreement for the ſale of an eſtate now in mortgage to the purchaſer and another. The purchaſer buys, ſubject to the other incumbrance, he is to be allowed his own money, and to pay a further ſum, and to pay a rent charge during the life of the vendor. *Horſm.* 779.

For ſale of lands by huſband and wife, and her ſon by a former huſband: agreement as to deductions to be made in the purchaſe-money, and from what time the purchaſer ſhall enjoy. *Ibid.* 780.

For retaining part of the purchaſe-money for a moiety of a manor which was in mortgage; the other moiety belonging to a minor; alſo for purchaſing his moiety eventually, &c. *Ibid.* 782.

For a purchaſe of lands, at a certain price, and to make a good title and conveyance within a certain time; and not to cut down timber, &c. in the mean time: the purchaſer covenants to pay the money. *Ibid.* 788.

For the purchaſe of freehold and copyhold premiſes within a certain time, and to make a good title: part of the money being now paid. If a good title cannot be made, the premiſes to ſtand as a ſecurity for the money now advanced. *Ibid.* 794.

For the ſale of a freehold eſtate (*Short*). 1 *Wms.* 1. (*Fazakerly*)

Agreement by a widow and ſon and heir, for the ſale of lands to a purchaſer. *Horſm.* 796. (Purchaſes continued.)

Articles for the purchaſe of a monaſtery, manor, &c. to be completed within a certain time; proviſion in caſe of either party's default; agreement for the vendor's taking off his ſtock, &c. *Ibid.* 816.

Articles for the purchaſe of a manor, &c. to be completed within a certain time; the vendor not to cut down timber, nor make leaſes in the mean time. *Ibid.* 817.

Articles for the purchaſe of lands, &c. with many ſpecial agreements. *Ibid.* 818.

Articles for the purchaſe of lands and wood-grounds at ſo many years purchaſe; and the timber at a certain ſum; an abatement to be made if the wood-ground falls ſhort of meaſure. *Ibid.* 820.

Agreement as to part of purchaſe money depoſited. A freehold being ſold under a will for the benefit of ſix ſiſters and coheirs, and copyholds which deſcended to them being alſo included in the ſame purchaſe, one of the ſiſters and her huſband refuſe to join; a ſixth part of the purchaſe-money is depoſited in the Bank, to indemnify the purchaſer. *Ibid.* 797. (*Indemnity to purchaſers.*)

Deed of agreements and covenants between two reſpective vendors of two houſes (part of a greater eſtate) and the purchaſer, in relation to an annuity to which poſſibly the purchaſed premiſes, along with others, might be liable. The vendors agree to indemnify the purchaſer againſt arrears; the annuity to be apportioned. *Ibid.* 799.

Agreement (by indorſement on a purchaſe deed) that ſeveral vendors of an advowſon to

Purchaſes continued. which the title is doubtful, ſhall leave part of the purchaſe money in the hands of the purchaſer for a certain time, eventually to indemnify him. *Horſm.* 801.

An agreement on a purchaſe. Some real eſtates being deviſed to be ſold for ſeveral purpoſes, and among others to raiſe a portion for a woman, ſhe marries a minor; there are alſo ſome annuities charged. Upon ſale of the eſtates (by agreement contained in the preſent draught) part of the purchaſe money is veſted in South Sea Annuities, to indemnify the purchaſed lands againſt the portion, &c. *Ibid.* 803.

An agreement on a purchaſe, to veſt part of the purchaſe money of lands in South Sea Annuities, to indemnify the purchaſer under a will, until one of the legatees (who refuſed) ſhould join in the conveyance, or the will ſhould be proved in Chancery, &c. *Ibid.* 809.

Agreement as to atruſt. Agreement and declaration, in a deed, that premiſes conveyed upon truſt are ſo conveyed in order to be ſold with all convenient ſpeed for payment of debts. 1 *Bridgm.* 12.

And that the money ariſing from the ſale ſhall be ſo applied. *Ibid.* *See* DECLARATION.

ANNUITIES.

Annuity.

To wife. AN annuity ſecured to the wife in a ſettlement in lieu of jointure and dower. 1 *Bridgm.* 151.

Clauſe in a ſettlement, that a jointure annuity ſhall not be aſſigned. 1 *Bridgm.* 109.

See ACQUITTANCE, APPOINTMENT, ASSIGNMENT, BOND, COVENANT, GRANT, JOINTURE, RELEASE.

APPOINTMENTS.

Appointment.

Annuities.

APPOINTMENT of annuities by a father to children, by virtue of power in marriage ſettlement. *Horſm.* 23.

By feme covert (indorſed on deed giving the power) of the future payments of her annuity to the huſband; as alſo the uſe of the lands out of which it iſſues. *Horſm.* 45.

Appointment by feme covert of an annuity ſecured on bank-ſtock, to a purchaſer, in purſuance of a power. 1 *Pow. Wood,* 540.

Auditor.

Of an auditor, and ſolicitor for ſuperintending the management of eſtates, and inſtituting or defending ſuits, &c. 2 *Bridgm.* 24.

Executors.

Appointment of two new executors in the room of two deceaſed. 1 *Wms.* 146 *(Booth).*

Game-keeper.

Appointment of a gamekeeper. *Horſm.* 47.

Jointure.

Appointment of a jointure by way of ſettlement before marriage, by tenant for life under the will of his grandfather; ſeparate appointment of portions for daughter; term created to raiſe pin-money; ſome ſpecial covenants on the part of the huſband relative to releaſing legacies, and ratifying partition of eſtates. *(the whole well drawn).* *Horſm.* 33.

An appointment, in a ſettlement, of a jointure by virtue of a power. *Horſm.* 1060.

Appointment of a jointure by way of executing a power for that purpoſe, contained in a former ſettlement. *Horſm.* 421.

Appointment, by tenant for life under a will; of wood grounds, &c. an increaſe of the wife's jointure, *(well drawn).* *Horſm.* 17.

Lands. Appointment of lands by husband and wife, (as a declaration of the uses of a recovery) to him for life and her in fee; husband empowered to charge a sum by will; joint power of revocation. *Horsm.* 39.

Appointment of lands by trustees to a purchaser under a marriage settlement, with the consent of the tenant for life, for the selling or exchanging of the settled estates and purchasing others in lieu thereof. 1 *Pow. Wood*, 498, *(I. I. P.)*

Note, *observations on the form of appointments and the manner of executing powers annexed to this precedent.*

Appointment by husband and wife under a power in their marriage settlement of lands in fee to a purchaser. 4 *Wms.* 1557. *(Duane).*

Monies. Appointment by husband of monies to arise by sale of lands and personal estate, for the benefit of his wife, daughters, &c. a variety of contingent dispositions, authorities, provisions and limitations; power for wife if she survive her husband; to vary the appointment, *(very special; and well drawn)* *Horsm.* 27.

Deed of appointment by feme covert (in pursuance of a power in her marriage settlement) whereby she appoints a part of settled monies to the use of the trustee in the settlement in consideration of his having advanced a like sum for the benefit of her son by a former husband. 1 *Wms.* 136, (****** *now a king's counsel.)*

Portion. Appointment by a father under a settlement (and indorsed thereon) of a portion to be raised out of a subsisting term for the benefit

of a daughter on her marriage, *(short)*. *Horſm.* 21.

Appointment of a receiver of an eſtate by mortgagor and mortgagee thereof, with ſpecial matter relative to ſecuring the intereſt. *Horſm.* 310. Receiver.

Appointment of a ſteward of a manor. 2 *Wms.* 521. *(T. W. W.)* Steward.

Appointment of a new truſtee, of a marriage ſettlement in the room of one deceaſed. 1 *Wms.* 145. *(T. W. W.)* Truſtee.

Appointment by a father under a deed of ſettlement, of the truſts of a term which are declared to be to raiſe annuities for his children; proviſo againſt moleſting the truſtee; power of revocation. *Horſm.* 22. Truſts.

Appointment by feme covert under a power, of a moiety of the reverſion of lands, &c. to daughter for five hundred years, remainder to ſon in fee; the inheritance likewiſe charged with the payment of money to daughters. *Horſm.* 24. Reverſion.

Appointment of an umpire by arbitrators. 2 *Wms.* 528. *(Webb)*. Umpire.

A ſhort appointment of lands by deed poll indorſed on releaſe; power to revoke, &c. *Horſm.* 15.

Appointment by deed poll of the uſes of manors, &c. by feme covert under a power of revocation. *Horſm.* 16. Uſes.

Appointment of new uſes under a marriage ſettlement in the room of former uſes revoked by the preſent deed. 4 *Wms.* 1583. *(Rivet.)* New uſes.

Arbitration and award, &c.

ARBITRATION AND AWARD.

Arbitration

An arbitration deed by indenture. 2 *Bridgm.* 542.

An arbitrament, or award by deed poll, for payment of money due on bond; ceſſation of actions; cancelling a recognizance, and delivering up deeds. 2 *Bridgm.* 543.

A deed of reference to arbitration, of diſputes relative to copartnerſhip concerns. 2 *Wms.* 525. *(White.)*

Award.

An award, made by order of the Court of Chancery, for executing releaſes, and payment of coſts. 2 *Bridgm.* 545.

An award that one party ſhall convey land and pay money to another; ſuits to ceaſe, and parties to execute mutual releaſes. *Horſm.* 163.

A deed of award relative to a copartnerſhip. 2 *Wms.* 529. *(Webb.)*

See AGREEMENT.

Aſſignment.

ASSIGNMENTS.

Of an agreement.

An aſſignment of an agreement for a leaſe to a purchaſer of the aſſignors intereſt therein; power of attorney to procure the leaſe, &c. 1 *Wms.* 473. *(Weſton.)*

Annuities.

Aſſignment in a mortgage, of ſeveral annuities by huſband and wife. 1 *Bridgm.* 196.

Aſſignments of exchequer annuities. *Lil.* 474. 475. *Horſm.* 132. 1 *Wms.* 263. *(Kilmer.)*

The like upon truſt to re aſſign ſame; *Horſm.* 133.

Re-aſſignment accordingly. *Horſm.* 134.

The like assignment from a surviving executor. 1 *Wms.* 266. *(Kilner.)*

Assignment of an annuity under a will. 1 *Wms.* 327. *(Rivet.)*

Assignment of an annuity secured on the half pay of a lieutenant, with a collateral security by bond, and letter of attorney to receive the same. 1 *Pow. Wood*, 574. *(I. I. P.)*

Assignment of an annuity, or rent charge as a security for re-payment of money borrowed; several trusts thereof declared. 1 *Wms.* 335. *(K.)*

Assignment of an assignment of lease of ground to be built upon. *Lil.* 499. Of an assignment.

The like of a marriage term in trust for the reversioner. *Horsm.* 1101.

Assignment, after forfeiture, of three bonds for performance of covenants and payment of money. 1 *Bridgm.* 118. Bonds, &c.

The like by an executrix. *Ibid.* 119.

Assignment of a statute-staple, in a release. 1 *Bridgm.* 89.

The like, in the assignment of a mortgage, for performance of covenants in such mortgage. *Ibid.* 256.

The like to protect the inheritance. 3 *Pow. Wood*, 426.

Assignment of bond and judgement, with letter of attorney. 1 *Bridgm.* 315.

The like by indenture. 2 *Ib.* 60, 134. *(the first specially and well drawn).*

Assignment in trust, of a recognizance in the nature of a statute staple extended, *(special recitals).* *Ibid.* 359.

Bonds, &c. *continued.*

Aſſignment of a judgment to one of the bail, in a writ of error, who advanced the money to the plaintiff. 2 *Bridgm.* 349.

Aſſignment of bond and judgment by executors and others in truſt for creditors. *Lil.* 606.

Aſſignment of a bond by indorſement. *Lil.* 515.

Aſſignment of a bond and judgment to a truſtee for a purchaſer to protect the purchaſe from incumbrances. *Horſm.* 87.

Aſſignment of a bond of indemnity and monies due thereon by the obligee to a third perſon. 1 *Wms.* 269. *(Booth)*

Aſſignment of a bond as a collateral ſecurity for payment of money. 1 *Wms.* 275. *(Duane)*

Aſſignment of two bonds from an executor to one of the teſtator's ſons upon preſumption that the other is dead, with releaſe, and covenant to refund if his brother be living. 1 *Wms.* 281. *(Wilbraham)*

Books.

Aſſignment of books (by deed poll) to a purchaſer, under particular circumſtances. *Horſm.* 47.

Bankrupts eſtate.

Aſſignment by aſſignees of a bankrupt to ſuch bankrupt of the ſurplus eſtate after debts paid and commiſſion ſuperſeded. 1 *Wms.* 208. *(Harpur)*

Aſſignment from commiſſioners, in a renewed commiſſion of bankrupt to a new aſſignee, *(many recitals of bankrupt proceedings)* 1 *Wms.* 195. *(Hotchkin)*

Aſſignment by commiſſioners of bankruptcy, of the bankrupts effects to one creditor in truſt for the reſt, *(well drawn)* *Lil.* 520.

A similar assignment, (*some special covenants*). *Ibid.* 524.

Assignment of a term in two manors for payment of a particular debt, by trustees for payment of debts generally under particular circumstances. 1 *Bridg.* 112. Of debtors effects.

Assignment of lease in trust for discharging a debt, and maintaining and educating a child. *Lil.* 512.

Assignment of a fourth part of a ship and cargo (by a widow an executrix) in trust for the creditors of a deceased debtor; very special recitals, covenants and provisions, and letter of attorney. *Lil.* 596.

Assignment (indorsed on a dissolution of copartnership) from creditors, of the estate to one of the partners, of monies deposited in the hands of a trustee for their use; such partner having paid their several demands. 1 *Wms.* 192. (*Rivet*)

Assignment of leasehold estate (from an administration *de bonis non* of a trustee under a settlement after marriage, with the consent of *cestui que trusts*) to a purchaser, for the benefit of the creditors of the original settler who proved to be insolvent at the time of the settlement. 1 *Wms.* 176. (*Harpur*)

Assignment of effects in trust for creditors, (*many good covenants, &c.*) 1 *Wms.* 214. (*Eazakerly*)

Assignment of debts, &c. with power of attorney, (*well drawn*). 2 *Bridgm.* 28. Of debts.

Assignment of debts by way of mortgage, with a letter of attorney. *Lil.* 511.

Assignment of copartnership debts and effects from a partner retiring from business, to the other copartners. 2 *Wms.* 802. (*Duane*)

Dye-houſe. Aſſignment of dye-houſe, and articles of copartnerſhip. 2 *Bridgm.* 440.

Decree. Aſſignment of the benefit of a decree in chancery. *Lil.* 600.

Furniture. &c. Aſſignment (in a deed of conveyance) of the furniture of a houſe. *Horſm.* 889.

The like of the ſtock, utenſils, &c. of copperas-work. *Ibid.* 920.

In a deed of copartnerſhip, from one partner to the other of his houſehold goods, eſtates and effects. 2 *Wms.* 710.

Legacy. Aſſignment by huſband and wife, and a mortgagee of a legacy to a purchaſer thereof; with letter of attorney, (*well drawn*). *Horſm.* 50.

Aſſignment of a legacy as a payment of a debt due upon bond, with letter of attorney. 1 *Pow. Wood,* 809.

Monies. Aſſignment (in a releaſe) by a co-deviſee of eſtates, of monies to ariſe by the ſale of his ſhare thereof, being a ſeventh part. 3 *Wms.* 1247. (*Rivet*)

Penſion. Aſſignment of a government penſion to executors to receive till money due on bond to their teſtator is ſatisfied. 1 *Wms.* 331. (*Booth*)

Of leaſehold intereſts *as a collateral ſecurity.* Aſſignment of lands (as a collateral ſecurity) to be void on the huſband's ſettling a jointure upon the wife within a given period, (*many ſpecial recitals relative to the ſituation of the property*). 1 *Bridgm.* 79.

An aſſignment of houſes and premiſes (held under letters-patent) as a ſecurity againſt incumbrances affecting other premiſes lately purchaſed, (*many ſpecial proviſions*). *Lil.* 469.

Aſſignment of an outſtanding term to a truſtee, firſt as a collateral ſecurity to a mortgagee of the premiſes who advances part of

purchaſe-money; and then in truſt for the purchaſer, *(no covenants)*. *Horſm.* 146. Leaſeholds *continued.*

Aſſignment (in a mortgage deed) of leaſehold intereſts to a mortgagee as a collateral ſecurity for payment of the mortgage-money. *Horſm.* 746.

Aſſignment of a term to truſtees to ſecure or indemnify purchaſed lands againſt dower of the vendor's wife, and afterwards to attend the inheritance; the term orginally created under a ſettlement, *Horſm.* 1102.

Aſſignment (in a grant) of leaſes, to a truſtee for ſecuring the payment of an annuity. *Horſm.* 388.

Aſſignment of leaſehold premiſes as a collateral ſecurity for payment of an annuity for the life of the aſſignee. 1 *Wms.* 479. *(T. W. W.)* 4 *Ibid.* 1693. *(S. Sult.)*

Aſſignment of the half-pay of a lieutenant of marines for further ſecuring an annuity with ſpecial covenants. 1 *Pow. Wood,* 572. *I. I. P. See* DEMISE.

Aſſignment (in a ſettlement) of leaſehold premiſes by the executrix of a ſurviving truſtee. 1 *Bridgm.* 110.

Aſſignment by one joint leſſee to another of all his eſtate and intereſt in the leaſe. *Lil.* 509. Of leaſehold intereſts *to purchaſers.*

Aſſignment of leaſes by executors. *Lil.* 477.

Aſſignment of two indentures of leaſe by an adminiſtratrix and truſtee. *Ibid.* 502.

Aſſignment of leaſe by adminiſtrator in truſt to be reaſſigned, *(ſpecial recitals)* *Ibid.* 507.

Aſſignment by one to two of leaſehold intereſt in a houſe in London, and of certain goods therein, *(well drawn)*. *Horſm.* 57.

Leaſeholds *continued.*

Aſſignment of a college leaſe with licence of the leſſors. *Horſm.* 96.

Aſſignment of the leaſe of a houſe in London. *Ibid.* 129.

Aſſignment of a leaſe on being diſcharged by the aſſignee from arrears of rent. 1 *Wms.* 390. (*Rivet*)

Aſſignment of leaſehold intereſts in new built houſes, &c. by leſſees in building leaſes and their mortgagee; part of purchaſe money paid in diſcharge of the mortgage, the reſt to aſſignees, (*a good precedent*). *Horſm.* 142.

Aſſignment of a new built leaſehold houſe, &c. by the leſſee builders to a purchaſer. *Horſm.* 139.

Aſſignment of church leaſes to a truſtee for a purchaſer thereof in truſt for the uſe of the aſſignees and the ſurvivor for life, then for the purchaſer; aſſignors to procure renewals during their lives, and in default thereof the truſtee for the purchaſer to procure the ſame. *Horſm.* 105.

Short aſſignment of a leaſe by indorſement thereon. *Ibid.* 113.

Aſſignment by a queen conſort of a leaſehold houſe, &c. to a purchaſer. *Horſm.* 135.

Aſſignment of leaſes for years by an executor and reſiduary legatee to a leſſee purchaſer. *Ibid.* 109.

Aſſignment of leaſehold premiſes from mortgagees, aſſignees of the equity of redemption, and a mortgagor, to a purchaſer. 1 *Wms.* 369. (*J. H.*)

Aſſignment of leaſehold premiſes (by indorſement) from an executrix to a purchaſer

thereof, at a ſale by auction, ſubject to rents and covenants. 1 *Wms.* 413. (*T. W. W.*) Leaſeholds *continued.*

Aſſigment of leaſehold premiſes from mortgagee and mortgagor to a purchaſer. 1 *Wms.* 417. (*Browning*)

Aſſignment of leaſehold premiſes from a mortgagee and the aſſignees of a bankrupt to purchaſers thereof at a ſale by auction. 1 *Ibid.* 430.

Aſſignment of leaſehold premiſes from a mortgagor (late a joint-tenant of the premiſes) and mortgagee, to a purchaſer. 1 *Ibid.* 440. (*Rivet*)

Aſſignment of leaſehold premiſes from an executrix and a joint-tenant (with confirmation by the other joint-tenant) to a purchaſer. 1 *Ibid.* 456. (*Rivet*)

Aſſignment of two leaſes held under a biſhopric for three lives, to two purchaſers thereof at a ſale by auction, as tenants in common. 1 *Pow. Wood* 766.

Aſſignment (in leaſe and releaſe) of premiſes from truſtees under an act of parliament, and an heir at law, to a purchaſer. 3 *Wms.* 1237. (*J. H.*)

Aſſignment of truſt terms to a truſtee for a purchaſer; the terms originally created for raiſing money, &c. the truſts of which were afterwards performed, and the terms aſſigned to attend the inheritance. *Horſm.* 1111. Terms *to truſtees for purchaſers.*

Aſſignment of two ſeveral mortgage-terms to ſeparate truſtees, for a purchaſer; recital of a will and decree in Chancery. (*ſpecial*) *Horſm.* 113.

Aſſignment of ſeveral mortgage-terms by

Of Terms *continued.* truſtees to a purchaſer and his truſtees. (well drawn) *Horſm.* 115.

Aſſignments of terms (in conveyances) to truſtees for the benefit of purchaſers. *Ibid.* 828. 829. 844. 935. 943. 948. 952.

Aſſignment (by indorſement) of a mortgage-term to a truſtee for the benefit of a purchaſer of the inheritance. *Ibid.* 1107.

A like aſſignment by indenture. *Ibid.* 1109.

Aſſignment of a term in the fourth part of manors, &c. by an executrix in truſt, the *ceſtui que truſts;* and by an executrix, and adminiſtratrix, to a truſtee for a purchaſer of the inheritance; part of the conſideration money to be paid by the purchaſer to an infant when of age. *Ibid.* 1117.

Aſſignment of a term by a ſurviving truſtee in a ſettlement, to a truſtee for a purchaſer of the inheritance. *Horſm.* 1120.

Terms to attend the inheritance. Aſſignment of the remainder of a mortgage term to truſtees to attend the inheritance of a purchaſer. 2 *Bridgm.* 84.

Note, *A marginal obſervation againſt this deed, that it is to be ſigned and ſealed, but not delivered.*

Aſſignment of a mortgage-leaſe to attend the inheritance for the benefit of an intended purchaſer. 1 *Bridgm.* 230. 2 *Ibid.* 329.

Aſſignment of a mortgage-term before the condition broken, in truſt to attend the inheritance. 2 *Ibid.* 352.

The like, (and confirmation) after condition broken by huſband and wife. *Ibid.* 428.

Aſſignment of a mortgage-term (outſtand-

ing in equity though merged at law) to attend the inheritance of a purchaſer. 2 *Bridgm.* 329. Of Terms *continued.*

Aſſignment of a mortgage-term in truſt to attend the inheritance for a purchaſer, with reference to bargain and ſale to be enrolled. 2 *Ibid.* 450.

Aſſignment of a term, under a commiſſion of bankruptcy, in truſt to attend the inheritance. *Lil.* 516.

Aſſignment of a term to attend the inheritance; many recitals, and a ſpecial conſideration. *Ibid.* 644.

Aſſignment (by executors of a mortgagee, and widow, daughter and heir of mortgagor,) of a mortgage-term in truſt to attend the inheritance of a purchaſer; a covenant for cuſtody and production of deeds in a ſchedule. *Horſm.* 65.

Aſſignment by a mortgagee of a mortgaged term to attend the inheritance and the uſes of a ſettlement. *(This deed contains alſo a conveyance in fee)* *Horſm.* 68.

Aſſignment, or transfer of mortgage-term by feme ſole to a truſtee of the new mortgagee, firſt to ſecure the mortgage-money, and then to attend the inheritance. *Ibid.* 94.

Aſſignment of a term (by indorſement) to attend inheritance. *Ibid.* 1116.

Aſſignment by mortgagor of a mortgage-term to a truſtee to attend the inheritance of a purchaſer; with confirmation by the mortgagor. 1 *Wms.* 291. (*Rivet*)

The like of ſeveral mortgage-terms. 1 *Wms.* 302. (*Duane*)

Assignments of mortgages.

Assignment of a mortgage-lease of a manor to an annuitant of the same premises. *(very short)* 1 *Bridgm.* 55.

Assignment of a mortgage-lease to a trustee for the use of the mortgagee. *(short)* 1 *Bridgm.* 92.

The like for the use of the mortgagor, the mortgage being paid off. *Horsm.* 1191.

Assignment of an assignment of a mortgage of the remainder of a term of 500 years to trustees in trust for the reversioner. 2 *Bridgm.* 84.

The like of a mortgage term and of the money due thereon by the widow and executrix of the mortgagee in trust for herself, children and others. 2 *Bridgm.* 401.

Assignment of two several indentures of mortgage made under a decree of the Court of Chancery. *(very special recitals)* *Lil.* 677.

Assignment of a mortgage by the trustee of a Roman Catholic by which it is agreed that the interest in arrear shall be made principal. 1 *Pow. Wood.* 833. *(N. Pigot)*

Assignment and surrender (by indorsement) of a mortgage-term to a purchaser of the inheritance. *(very short)* *Horsm.* 82.

Assigment of several mortgages for years and in fee, and also leases, by an assignee and his trustees to a new assignee and his trustees. *(this assignment also contains a release in fee)* *Ibid.* 82.

Assignment (by trustees, and *cestui que trust* and wife) of a mortgage term in trust for a purchaser to protect, &c. made by deed-poll indorsed. *Ibid.* 93.

Assignment of a mortgage term (by deed poll indorsed) to trustees for the mortgagor to attend inheritance (the mortgage being satisfied) and also of two leasehold interests to the mortgagor himself. (*short, but accurate*) *Horsm.* 114. Mortgages *continued.*

Assignment (by indorsement) of mortgage-term by a mortgagee to his own trustee himself to prevent a merger on his purchasing the inheritance. *Ibid.* 119.

Assignment by way of transfer of a former mortgage to the use of the person who now advances the money. 1 *Bridgm.* 60. 255. Assignments by way of *transfer.*

The like with enlargement of the term from 99 to 1000 years. *Ibid.* 254.

The like wherein the grantee of the inheritance joins with the old mortgagor and mortgagee. 1 *Bridgm.* 285.

The like of a lease of 500 years of a deed-poll of release (old mortgagor, mortgagee, and grantee of the inheritance join in conveying to the new mortgagee). (*well drawn*) *Ibid.* 285.

Assignment by way of transfer of a mortgage (where a further sum is advanced) of premises insured, together with the policy of insurance. 2 *Ibid.* 354.

Assignment or transfer of a mortgage by a husband and wife to a new mortgagee. 2 *Ibid.* 428.

Assignment of a mortgage for 1000 years with fresh demise. (*special and well drawn*) *Lil.* 657.

Assignment by way of transfer of a mortgage in fee as to part, and for years as to other part (many parties and a variety of recitals oc-

authority of a patent, (*concisely and well drawn*). *Horsm.* 122.

Assignments *in trust for children, &c.* Assignment of a lease upon trust for the benefit of the assignor, his wife and children. 1 *Bridgm.* 293.

Assignment of a term to trustees for the benefit of daughters under a settlement, in consequence of there having been no son of that marriage, and the original purposes of the term having been satisfied. (*A great variety of common and special matters, and the whole well drawn*). *Horsm.* 98.

Assignment by a husband after marriage, of a ferry, in trust for the wife if she survive him. 1 *Bridgm.* 134.

Of leasehold premises and household goods previous to a marriage upon trust for the benefit of wife and children. 1 *Wms.* 227. (*Wilbraham*)

Assignment on marriage settlement of part of the lady's personal estate (being leasehold interests) to trustees for her separate use. *Horsm.* 426.

The like in marriage articles of leaseholds, East India bonds, South-Sea stock, and annuities, plate, jewels, &c. *Horsm.* 483.

Assignment of policy. Assignment of policy of insurance in the transfer of a mortgage. 2 *Bridgm.* 356. *Horsm.* 731. 3 *Wms.* 1047. (*T. R.*)

Residues. Assignment of a daughter's residuum of her father's and personal estate to her brother on his advancing a marriage portion for her. *Horsm.* 48.

Assignment of residuary share of personal estate by one executor to another; with power of attorney. 1 *Wms.* 165. (*Filmer*)

The like by a reſiduary legatee to a purchaſer. 1 *Wms.* 170. (*Rivet*)

Aſſignment of reverſionary intereſt in South-Sea annuities under an order of Chancery. (*Special recitals and covenants, well drawn*). *Horſm.* 53. Aſſignment of reverſions.

The like, and of a leaſehold eſtate to which the aſſignor was entitled under a marriage-ſettlement, with power of attorney. 1 *Wms.* 154. (*Rivet*)

Aſſignment of a truſt by a mortgagor-truſtee to the *ceſtui que truſt*. 1 *Bridgm.* 253. Truſts.

Short aſſignment by deed poll, of a contingent truſt for raiſing a ſum of money for the benefit of wife and children. 2 *Bridgm.* 415.

For *aſſignments* by way of *mortgage*, *See* MORTGAGE.

ATTESTATION. *Atteſtation.*

ATTESTATION of a deed executed by virtue of a power of attorney for that purpoſe. 1 *Wms.* 175.

ATTORNEY. *Attorney.*

See LETTERS OF ATTORNEY.

ATTORNMENT. *Attornment.*

THE form of attornments. 2 *Bridgm.* 53. 466, 1 *Lil.* 545.

BARGAIN AND SALE. *Bargain and ſale.*

SHORT bargain and ſale by a tenant in tail to be enrolled, with covenant to ſuffer a recovery. 2 *Bridgm.* 328. To be enrolled.

Conveyance to a purchaſer of an eſtate in mortgage, made by bargain and ſale to be enrolled, accompanied with leaſe and releaſe, and aſſignment of the mortgage term to attend the inheritance. 2 *Bridgm.* 450 454. 456. 457.

A bargain and ſale (by indenture enrolled) of the third part of a manor, &c. *(ſhort)*. 2 *Bridgm.* 454.

A ſhort bargain and ſale of premiſes to be enrolled. 2 *Bridg.* 322. 2 *Wms.* 531. *(I. H.)*

Bargain and ſale to be enrolled, from the aſſignees of a bankrupt, a tenant by the curteſy, and tenant in tail, to make a tenant to the freehold for ſuffering a recovery. 2 *Wms.* 559. *(Rivet)*

To precede a releaſe. Bargain and ſale for ſix months, to enable bargainor to releaſe in fee. 1 *Bridgm.* 33, 83, 278, 279. 2 *Ibid.* 334, 456. *Lil.* 544. *Horſ.* 170. 2 *Wms.* 566. *(T. W. W.)*

The like of a meſſuage and tithes *(ſpecially drawn.)* *Lil.* 543.

To purchaſers, &c. Bargain and ſale in fee by huſband and wife of the wife's lands, ſhe being under age, to a purchaſer; covenant that wife, or her heir ſhall levy a fine when of age. 1 *Bridg.* 162.

Bargain and ſale by executors in purſuance of a previous aſſignment made by the teſtator, covenant to levy a fine, *(well drawn)*. 2 *Bridg.* 161.

A bargain and ſale in fee of meſſuages, lands, &c. Covenant to levy a fine, *(well drawn)*. 2 *Bridgm.* 323.

A bargain and ſale of lands by the owner of the eſtate, and truſtees under an act of par-

liament, with reference to a deed of releaſe thereof. *Horſm.* 165.

Bargain and ſale, and grant and confirmation, of manors, woods, and quit rent to a mortgagee thereof in fee, (*no covenants*). *Horſm.* 167.

Bargain and ſale from a mortgagee and mortgagor to a purchaſer. 2 *Wms.* 533. (*T. H.*)

Bargain and ſale from the ſurviving aſſignee of a bankrupt, and the bankrupt, to a purchaſer. 2 *Wms.* 536. (*Rivet—Strickland*)

Bargain and ſale of an eſtate tail from the commiſſioners, in a renewed commiſſion of bankruptcy, to a new aſſignee. 2 *Wms.* 539. (*I. H.*) (*a good precedent*)

A bargain and ſale of a jewel. 2 *Bridg.* 68. Jewel.

Bargain and ſale by a man and his wife of a reverſion to a tenant for life; covenant to levy a fine. 1 *Bridgm.* 237. Reverſion.

Conveyance by deed to be enrolled of the reverſion of lands to a purchaſer, (a term therein being in his truſtee). 2 *Bridg.* 398.

A bargain and ſale of a reverſion for 500 years, by way of mortgage, covenant to levy a fine and ſuffer recovery. *Lil.* 685.

Bargain and ſale of a reverſion from an heir at law, to a devilee in purſuance of directions in a will. 2 *Wms.* 550. (*Rivet*)

Bargain a ſale of woods upon truſt that bargainees ſhall make ſale thereof for payment of bargainors debts; (*very ſhort and without covenants*). 1 *Bridg.* 137. Upon truſt.

Bargains and ſales (in other deeds) to truſtees for long terms of years. *Horſm.* 341. 352.

Bargain and ſale and grant of fee-farm rents to truſtees for a feme covert, (*a good deed. Horſm.* 391.

Bargain and ſale of a freehold eſtate, to two perſons in truſt for one of them; a warranty from the bargainor. 2 *Wms.* 555. (*Rivet*)

To make tenant to præcipes.

Bargain and ſale to make a tenant to the *præcipe* for ſuffering a recovery. 1 *Bridgm.* 179. 2 *Ibid.* 121.

The like with covenant to levy a fine, and a declaration of the uſes of both. (*well drawn.*) 1 *Bridg.* 203.

Bargain and ſale of grounds, &c. to make a tenant to the *præcipe* for ſuffering a recovery with double voucher for the uſe of the creditors of a bankrupt, (*well drawn*). *Lil.* 576.

Bargain and ſale of lands by a mortgagee and mortgagor and his wife, to make a tenant to the *præcipe* to ſuffer a recovery, to a purchaſer. *Horſm.* 164.

Bargain and ſale, grant and releaſe of meſſuages, &c. in order to make a tenant to the *præcipe* for ſuffering a recovery thereof to the grantors in fee; with the particular mode of ſuffering the recovery ſet forth. *Horſm.* 168.

Bargain and ſale to make tenant to the *præcipe* to ſuffer three recoveries of manors, lands, &c. in three ſeveral counties, made in purſuance of covenant for further aſſurance in a mortgage deed, and to rectify a miſtake, by miſnomer, in three prior recoveries, the uſe, as to the mortgaged lands to be for corroborating mortgagee's term, and afterwards, with the reſidue, to the uſe of the recoveror and his heirs, (*ſpecial and well drawn*). *Horſm.* 171.

BILLS OF SALE.

Bill of sale.

A BILL of sale of goods by way of mortgage with warranty. 2 *Bridg.* 541.

The like of corn and hay. *Lil.* 655.

An absolute bill of sale of household goods, stock, &c. *Lil.* 687.

BONDS.

Bond.

For payment of money.

A BOND for payment of money by instalments with reference to an indenture. 2 *Bridg.* 130.

Bond for payment of money at several times, with interest for the same. 2 *Wms.* 579. (*Weston*)

Bond for payment of money after a person's death. 2 *Wms.* 579. (*T. W. W.*)

The like in pursuance of a marriage settlement. *Ibid.* 585. (*T. W. W.*)

Bond for payment of money by a corporation. 2 *Wms.* 595. (*Rivet.*)

Bond for payment of money that may be received by the sale of goods delivered to a broker, and for redelivering such as shall not be disposed of. 2 *Wms.* 636. (*T. W. W.*)

Bond from a surviving partner to pay to the executrix of the deceased a share of the effects in pursuance of articles of copartnership. 2 *Wms.* 574. (*Weston*)

Bond for payment of a sum of money to a person if living with the obligor at the time of his decease. *Horsm.* 198.

Bond that an executor will (agreeably to private instructions from his testator) pay a

certain ſum to the teſtator's daughter on the failure of certain expectancies. *Horſm.* 187.

Bond for payment of money, in purſuance of a will, to children on attaining 21, intereſt to the mother in the mean time, and an annuity to her in caſe of their deaths. 2 *Wms.* 581. (*Fogg.*)

Bond to truſtees to keep down intereſt of money charged on premiſes about to be ſettled. *Lil.* 579.

To keep down intereſt.

Bond from a truſtee to pay the intereſt of a ſum of money during the life of the *ceſtui que uſe*, and afterwards to appointment. *Horſm.* 186.

Relative to purchaſe money.

Bond from a purchaſer to apply part of the purchaſe-money left in his hands for the benefit of perſons entitled thereto, under a covenant and a decree in Chancery. *Horſm.* 192.

Bond from purchaſer to pay part of the purchaſe-money agreeably to the directions of a will, and to indemnify the vender therefrom. *Horſm.* 193.

Bond from a vendor of lands to repay the purchaſe-money, and reconvey if the purchaſer ſhould reject the purchaſe within a given period. *Horſm.* 196.

Refund legacy.

Bond to refund a legacy in caſe there prove a deficiency of aſſets. 2 *Wms.* 640. (*Filmer*)

Replace ſtock.

Bond from one who had borrowed bank ſtock, to replace it within a certain time, and to be anſwerable for the dividends becoming due in the interim. *Horſm.* 184.

Bond, on transferring South Sea annuities to replace the ſame by a given day, and pay

dividends in the mean time. 2 *Wms.* 646. *(T. W. W.)*

Bond for payment of an annuity for life and charging it upon lands within a year. *Horſm.* 174. Payment of annuities.

Bond from vendors of land and their ſurety to a purchaſer for payment of an annuity charged on the lands ſold. *Horſm.* 191.

Bond for payment of an annuity during another's life. 2 *Pow. Wood.* 91. 2 *Wms.* 575. *(P. Williams)*

A ſimilar bond, with recitals. 2 *Pow. Wood.* 91.

Bond for payment of an annuity during the joint lives of two perſons, and of a ſum of money if one die in the life-time of the other. 2 *Wms.* 576. *(T. W. W.)*

Bond for payment of an annuity during ten years, and a certain ſum of money at three ſeveral payments. 2 *Wms.* 577. *(T. W. W.)*

Bond for payment of an annuity to a married woman. 2 *Wms.* 593. *(B.)* Concerning marriages.

Bond from the huſband to truſtees in a marriage ſettlement for repayment of ſettlement-money lent by them to him till it can be laid out in the purchaſe of lands. *Horſm.* 176.

The like, only that the money is differently ſituated. *Ibid.* 178.

Bond from the lady's father in a ſettlement to the intended huſband for payment of an additional portion within ſix months after the obligor's death. *Horſm.* 180.

Bond from the uncle of the intended huſband to truſtees in a ſettlement, to ſettle or deviſe a reverſionary eſtate for the benefit of

Marriage bonds *continued.*

the husband and wife, and iſſue, in the manner therein mentioned, or to pay a ſum of money in lieu thereof. *Horſm.* 182.

Bond from the lady's father to the husband (after marriage) conditioned that a godmother will, in purſuance of a former promiſe, leave her a certain ſum of money in augmentation of her portion. *Horſm.* 186.

Bond from an intended husband to the lady's father to pay her an annual ſum for her ſeparate uſe. *Horſm.* 188.

The like bond to a truſtee of the lady for the independent enjoyment and diſpoſal of effects mentioned in a ſchedule thereon indorſed. *Horſm.* 188.

Bond from an intended husband to the lady's father for regular payment of pin-money. *Ibid.* 199.

Bond on a marriage for payment of a ſum of money to the wife if ſhe ſurvive her intended husband. 2 *Wms.* 586. *(P. Williams)*

A ſimilar bond with additional proviſions. *Ibid.* 590. *(Rivet)*

For performance of covenants.

Bond from a man and his wife and another, for the performance of covenants in a deed. 2 *Bridg.* 342.

Bond for performance of covenants, and alſo for payment of mortgage-money. *Ibid.* 348.

Bond from the purchaſer of leaſehold premiſes, to perform covenants in the original leaſe, and ſave harmleſs the obligees, who are the repreſentatives of an aſſignee. *Horſm.* 175.

Bond from one to three to perform covenants, and pay a ſum of money by inſtalments. *Horſm.* 190.

An obligation (in a deed of covenant) under a penalty to perform covenants, &c. *Horſm.* 288.

Bond for the due performance of articles under an apprenticeſhip. *Horſm.* 187. Apprenticeſhip.

Bond from the father to provide his ſon, an apprentice, with cloaths, &c. and for his fidelity. 2 *Wms.* 648. *(T. W. W.)* *See other bonds relative to apprentices, poſt.* p. 44.

Bond for the regular accounting, &c. of a receiver of rents under power of attorney annexed. 1 *Lil.* 694. To account.

Bond from the foreman in a ſhop (together with his ſurety) duly to ſerve and account, and that he will not ſet up or ſerve another within a certain time and diſtance. *Horſm.* 189.

Bond from one appointed to get in debts, &c. duly to account, &c. *Horſm.* 190.

Bond duly to account on being choſen renter-warden of a company. 2 *Wms.* 637. *(Rivet)*

The like on being empowered to collect in debts. *Ibid.* 639. *(T. W. W.)*

Bond for the fidelity of a journeyman. *Ibid.* 654. *(T. W. W.)*

The like for the fidelity of a clerk. *Ibid.* 656. *(T. W. W.)*

Bond to ſave harmleſs an executor from the teſtators debts. 2 *Bridg.* 21. Indemnity.

Bond to ſave harmleſs a co-obligee from covenants, &c. in a bond and deed. 2 *Bridg.* 364.

Bond from vendor to a ſecond purchaſer of lands, &c. to ſave him harmleſs from con-

Indemnity *continued.*

tingent portions charged thereon by the will of the vendor's father. *Horſm.* 177.

A bond from ſuch purchaſer to pay a part of the purchaſe-money left in his hands to indemnify him againſt the ſaid portions in the event of their not becoming chargeable. *Ibid.* 185.

Bond from a vendor to indemnify vendee againſt the iſſue of a ſuit depending concerning the premiſes. *Horſm.* 192.

Bond from an executrix of a leſſee and her ſurety to an under leſſee at a lower rent, that ſhe will pay to or indemnify him againſt the ſurplus difference. *Horſm.* 179.

Bond of indemnity from the grand-mother of a clerk to the South Sea company, to ſave harmleſs the ſurety of ſuch clerk againſt loſs on account of his obligation. *Horſm.* 181.

Bond from one co-heir to the other (having purchaſed the other's moiety of the eſtate) to indemnify him againſt the executor's debts. *Horſm.* 194.

Bond from a mother-in law to her ſon-in-law to indemnify him againſt a ſum of money for which his wife is anſwerable, under circumſtances ariſing before marriage. *Horſm.* 194.

Bond from a mortgagor to his ſurety to indemnify him againſt the conſequences of his obligation in having guaranteed the regular payment of intereſt to the mortgagee. *Horſm.* 196.

Bond from grantor of fee-farm rents to indemnify a purchaſer againſt the poſſible claims of one of the grantor's children under a will. *Horſm.* 197.

Bond to indemnify one of co-obligors againſt the conſequences of the bond. *Horſm.* 198. Indemnity *continued.*

Bond of indemnity from creditors of a deceaſed partner to a ſurviving partner on his paying to them the amount of bills in which a third perſon had an intereſt, and to refund, if ſame be recovered againſt him by ſuch third perſon; very full recitals relative to the tranſaction. 2 *Wms.* 605. *(Rivet)*

A propoſed variation in the indemnifying part of the laſt bond. *Ibid.* 614. *(Rivet)*

Bond of indemnity to a purchaſer againſt the wife's dower. 2 *Wms.* 615. *(Fogg)*

Counter-bond of indemnity to one who had entered into a bond to the bank of England to indemnify them in paying the value of a loſt note. 2 *Wms.* 617. *(T. W. W.)*

Bond of indemnity on paying money to the widow of the deceaſed creditor before ſhe had adminiſtered. 2 *Wms.* 618. *(Rivet)*

Bond of indemnity on paying money due on a promiſſory note, which was loſt. 2 *Wms.* 621. *(Rivet)*

Bond of indemnity on paying money due on a promiſſory note which was loſt. 2 *Wms.* 623. *(T. W. W.)*

Bond of indemnity, and for peaceable enjoyment on furrendering of copyholds. 2 *Wms.* 624. *(Duane)*

Bond on aſſignment of leaſe to indemnify aſſignee from covenants, &c. in the original leaſe. 2 *Wms.* 627.

Bond to indemnify one of two executors on account of monies miſapplied by the other executor. 2 *Wms.* 630. *(Melmoth)*

Bond of indemnity on a trustee's permitting a father to retain in his hands monies directed to be put out to interest for the benefit of children. 2 *Wms.* 633. (*Fogg*)

Bond to indemnify a master from the covenants of the indenture of apprenticeship, on his consenting to give up the apprentice before the expiration of his term. 2 *Wms.* 652.

Bond to the Apothecaries Company not to make free of their Company an apprentice who has quitted his master's service. 2 *Wms.* 650.

Bond to permit an apprentice to quit his apprenticeship before the full completion of his term. 2 *Wms.* 651. (*Rivet*)

To abide an award. Bond to abide by an award, or umpirage. 2 *Bridg.* 363.

Bond for abiding the award of arbitrators respecting differences depending in Chancery about the purchase of an estate. 2 *Wms.* 658. (*Weston*)

To procure release. Bond from the vendor of lands to a purchaser to obtain a release of a sum of money charged thereon, in lieu of one supposed to be lost. *Horsm.* 199.

Of separation. Bond for suffering wife to live apart from the obligor, her husband, and retain her present effects. 2 *Wms.* 596. (*Maire*)

A similar bond. *Ibid.* 599. (*Filmer*)

For secrecy Bond for preserving secrecy for having procured a person to be appointed on the list of half-pay officers. 2 *Wms.* 677.

Note, An opinion of T. Warren on the validity of this bond. *Ibid.* 679.

Respondentia. A respondentia bond on a voyage to the East Indies. (2 *Wms.* 680.)

Bond for quiet enjoyment by a purchaſer, againſt a man and his wife, the vendors. *Horſm.* 175. *Bonds for quiet enjoyment.*

Bond from the vendor of an advowſon, and his ſureties to the purchaſer thereof for quiet enjoyment. *Horſm.* 200.

Bond for peaceable enjoyment of an eſtate ſold on a doubtful title. 2 *Wms.* 601. (*T. Warren*), *and ſee ante, p.* 43.

Bond that a female infant ſhall, when of age, make further aſſurance of lands ſold by the advice of her friends. 2 *Bridg.* 94. *For further aſſurance.*

Bond that an infant when of age ſhall convey his intereſt in an eſtate, to the new purchaſer. 2 *Wms.* 643. *(B—e)*

CERTIFICATE. *Certificate.*

CERTIFICATE of an aſſignment for ſubſidies. 2 *Bridgm.* 50.

Certificate by a Baron of the Exchequer that certain perſons have duly taken the oaths of allegiance, &c. *Lil.* 691.

COMPOSITION. *Compoſition.*

DEED of compoſition with creditors, by which they agree to take five ſhillings in the pound in lieu of their juſt demands. *Lil.* 610. *Creditors.*

A deed of compoſition, whereby the debtor aſſigns his effects to truſtees for the benefit of his creditors; letter of attorney, letter of licence, and many good proviſions. 2 *Pow. Wood*, 239.

Another with many ſpecial recitals and covenants relative to copartnerſhip matters, with an aſſignment of effects and diſſolution

of copartnerſhip, (*well drawn*). 2 *Wms.* 696. (*W. Fogg*).

Another leſs ſpecial. *Ibid.* 719. (*Fazakerly*).

Confirmation.

CONFIRMATION.

Mortgage. A DEED of confirmation (and releaſe) of a mortgage by way of ſecurity for a further ſum advanced, (*ſpecial*) *Lil.* 669. *See alſo title* RELEASE.

The like of mortgage deeds, by a party who had not executed them. The mortgagee covenants (in caſe of punctual payment) to accept of a reduced intereſt. *Horſm.* 233.

Jointure. A confirmation of a jointure; by indorſement on a deed of appointment thereof. *Horſm.* 231.

Will. A confirmation of a will of lands and goods, by the heir at law to a deviſee (who is alſo executor); likewiſe a bargain and ſale to be enrolled of the ſame lands. *Horſm.* 231.

Copartnerſhip.

COPARTNERSHIP.

See AGREEMENTS. (p. 3. *margin*)

Covenant.

COVENANTS.

Introduction. THE beginning or introductory part of a joint covenant to one perſon. 2 *Pow. Wood*, 410.

The like of a covenant joint and ſeveral. *Ibid.*

The like of a ſeveral covenant. *Ib.* 410. 411.

The like where each party confines himſelf to his own portion of an eſtate. *Ibid.* 411.

The like where husband covenants for himself and wife. 2 *Pow. Wood*, 411.

Covenant that a deputy shall account with his principal quarterly. *Lil.* 472. To account

Covenant to make oath of the truth of accounts if required. *Lil.* 472.

Covenant for granting an acquittance upon the close of a fiduciary transaction. *Lil.* 472. Acquittance.

An indenture of covenant by which an administrator binds himself not to intermeddle with any of the goods, &c. of the testator's widow. 2 *Bridgm.* 168. Administrator.

Covenant to procure an admittance to copyhold premises. *Horsm.* 518. Admittance

Covenants usually inserted in the grant of an annuity. *Lil.* 787. 2 *Pow. Wood*, 476. Annuities.

The like in an assignment of an annuity. *Ibid.* 478.

Deed of covenant that the grantor of an exchequer annuity shall receive the same during his life, with remainder to another. *Lil.* 476.

A covenant (by indenture) from an heir apparent to grant an annuity after the death of his father, to the covenantee for his life and the life of his nominee; the deed to be void if the father survive the son. *Horsm.* 11.

Covenant (in a settlement) for payment of an annuity for life. *Horsm.* 1070.

Covenants (special) in the assignment of an officer's half pay for securing an annuity. 1 *Pow. Wood*, 574.

Covenant in the grant of an annuity, that

Annuities *continued.*

the premiſes ſhall be liable to diſtreſs. 1 *Bridg.* 245.

Covenant for a *nomine pœnæ*, in caſe of failure in payment of an annuity. *Lil.* 787.

Other proper covenants in an annuity deed. *Ibid.*

Covenant to apportion an annuity if recovered. *Horſm.* 800.

A deed of covenant by a ſon, to maintain his mother, or in caſe ſhe ſhall chuſe to live from him, to pay her an annuity, in conſideration of a ſum in groſs, paid to him by a third perſon. *Horſm.* 296.

Covenant (in a grant) to diſcharge a rent charge annuity from all taxes, &c. 1 *Bridg.* 79. 246.

Appointment.

Covenant that a releaſer has not joined in an appointment in purſuance of a power in a ſettlement. 2 *Pow. Wood*, 429.

Attornment

Covenant (in a mortgage) to procure an attornment of tenants. 1 *Bridgm.* 63.

Award.

Covenant to abide an award in caſe of controverſy. *Lil.* 626.

Bailiff.

A deed of covenant between a lord and his bailiff as receiver of fines, &c. and clerk of the market, with all proper proviſions. *Lil.* 593.

To convey.

Covenant to convey premiſes on receipt of a certain ſum. 1 *Bridg.* 297.

Covenant to convey the moiety of eſtates to the grantee for life. 2 *Wms.* 713.

Creditors.

Covenant for payment of debts to creditors by inſtalments. *Lil.* 604.

That creditors ſhall not ſue unleſs default made. *Lil.* 604. Creditors *continued.*

That debtor will ſet forth a full account of his debts, credits and effects. *Ibid.*

Covenant (in aſſignment of term for payment of debts) that if debts not paid by ſuch a day, truſtees may ſell. 1 *Bridgm.* 114.

Covenant that meſne profits of eſtates conveyed for payment of debts, ſhall go to pay intereſt thereof. 1 *Bridgm.* 114.

Covenant from aſſignee under commiſſion of bankruptcy, to get in debts and diſpoſe of effects to the beſt advantage. *Lil.* 522.

That he will account to the commiſſioners on requeſt. *Ibid.*

And aſſign over the ſurplus of the effects. *Ibid.* 523.

Covenant that an aſſignee under commiſſion of bankrupt, will enter upon the real eſtates of bankrupt, and ſell the ſame to the beſt advantage. *Lil.* 527.

That he will on requeſt ſet forth the eſtates of the bankrupt come to his hands and aſſign over the ſurplus. *Ibid.*

And will pay to the commiſſioners all monies by him received, (ſaving lawful deductions). *Ibid.*

Covenant by one partner for the payment of the partnerſhip debts, and to indemnify the other partner therefrom. 2 *Wms.* 810.

Covenant that creditors will contribute proportionally to the expences of ſuits. *Lil.* 602.

Creditors *continued.*

Covenant that the assignor of debts will further the payment of them to the assignee. *Lil.* 512.

Covenant that an executrix has not done nor will do any act to defeat a provision for intestate's creditors, but will promote the object of such provisions. *Lil.* 602.

Covenant relative to the disposition of monies to be recovered for the benefit of contributing creditors. *Lil.* 603.

Covenant in a deed of composition with creditors, that the debtor will not revoke or annul the powers, &c. thereby given, nor hinder the execution thereof. 2 *Pow. Wood.* 241.

Covenant by a debtor, in a deed of composition, that he will make a full discovery of his effects to the trustees. 2 *Pow. Wood,* 241.

A covenant from creditors to accept a composition. 2 *Wms.* 717.

Covenant from creditors, to indemnify one of two copartners from the defaults of the other. 2 *Wms.* 718.

Covenant (in a deed of composition) by creditors to deliver up their old securities on receiving other securities for payment of the composition-money. 2 *Wms.* 724.

Decree.

Covenant to obtain a decree in chancery. *Lil.* 470.

Fines and recoveries.

Covenant to levy a fine. 2 *Bridgm.* 106.

To suffer a recovery. *Ibid.*

The like with treble voucher. *Ibid.* 125.

The like with double voucher, at a court baron. *Ibid.* 82.

Covenant to levy a fine and uſes thereof declared. *Lil.* 776. 790. Fines, &c. *continued.*

A ſeveral covenant from a man and his wife and two others, to levy a fine and ſuffer recovery of a manor, advowſon, &c. to the uſe of a feoffee. 1 *Bridgm.* 26.

Covenant to levy a fine, *ſur conuſance de droit come ceo*, to enure to the confirmation of a mortgage leaſe. 1 *Bridgm.* 33.

The like with ſpecial covenants as to the enurement of the fine. *Ibid.* 42.

A deed of covenant by the heir of a mortgagor and others to levy a fine as a ſecurity of a debt on mortgage, under ſpecial circumſtances, and for performance of an award; the uſes of the fine fully declared, with good covenants (*the whole ſpecial, and well drawn*). 1 *Bridgm.* 66.

Covenant from a mortgagor that he and wife will levy a fine, *ſur conuſance de droit come ceo.* 1 *Bridgm.* 99. 2 *Ibid.* 163. 504.

The like, *ſur conceſſit. Ibid.* 197.

The like of a recovery. 2 *Ibid.* 106. 197.

Deed of covenant to ſuffer a recovery with treble voucher to confirm a mortgage term and bar intails, (*well drawn, and good covenants*). 2 *Bridgm.* 123.

A covenant to levy a fine of wood grounds to the uſe of the cogniſee in fee. *Lil.* 539.

Covenant in a mortgage to levy a fine and ſuffer a recovery to the uſe of the mortgagee. *Lil.* 686.

Covenant to levy a fine in confirmation of a mortgage. 1 *Bridg.* 33. 42.

Fines, &c. continued.

Covenant to ſuffer a recovery to the uſe of a purchaſer (*demandant to be named by the tenant*). 1 *Bridgm.* 75.

Covenant to ſuffer recoveries of lands in the ſeveral counties, and uſes thereof declared. *Ibid.* 204. (*well pen'd*).

A deed of covenant to levy a fine, to corroborate a mortgage for years, to ſecure ſeveral ſums to a man and his wife, and two more; the ſame lands, &c. having been before mortgaged in fee to the ſame perſons, and to one more who is paid off. The uſe (ſubject to the mortgage) to the mortgagor in fee. *Horſ.* 299.

A deed of covenant after marriage, to levy a fine; the uſes thereof declared to be the ſame as compriſed in a ſettlement before marriage. This is in purſuance of a covenant in the ſettlement for further aſſurances. *Horſm.* 304.

Deed of covenant to levy a fine and declare the uſes to make good a leaſe by huſband and wife, made in purſuance of a decree of chancery; *Horſm.* 305.

A deed of covenant to levy fines of a manor, advowſon, and a variety of other parcels by the remainder-man in tail, in order to bar the intail. *Horſm.* 308.

A deed of covenants by which huſband and wife are to levy a fine of her eſtate to truſtees, to ſecure by a long term raiſed, money to a mortgagee; then as to part, to the uſe of the huſband for life; as to the other part, for her ſeparate uſe; the inheritance of the whole, to her appointees, or to her in fee. A covenant to ſurrender her copyhold of inheritance to her ſeparate uſe, &c. *Horſm.* 314.

A deed of covenant to levy and declare the uſes of a fine, by huſband and wife (a coheir) of her third part of a manor; to ſettle it to the uſe of the huſband for life, then to truſtees to convey as the wife ſhall appoint; if no appointment, to her in fee. *Horſm.* 1087. (Fines, &c. *continued.*)

Covenant by huſband and wife with truſtees in a ſettlement to levy a fine *ſur conuſance de droit come ceo*, &c. to the uſes of ſuch ſettlement. 1 *Pow. Wood*, 508.

Covenant, in a deed, to levy a fine to bar a joint power of appointment reſerved in a ſettlement and for other ſpecial purpoſes. 2 *Pow. Wood*, 429.

Covenant in a mortgage to levy a fine and uſes thereof declared. 3 *Pow. Wood*, 365.

Covenant to levy a fine, and ſuffer recoveries at the grand ſeſſions of Wales. 1 *Bridgm.* 88. 266. 2 *Ibid.* 548.

Covenant to ſuffer a recovery according to the cuſtom of the city of London. 2 *Bridgm.* 469.

Covenant to bring a writ of entry, &c. in order to ſuffer a recovery. *Lil.* 578.

Covenant to ſue out a writ of *diſſeiſin en le poſt*, and for ſuffering recovery with double voucher. *Lil.* 744.

Covenant declaring the uſes of a fine to be to a mortgagee till repayment of the mortgage money. *Lil.* 552. (*Enurement thereof.*)

Covenant that recovery ſhall enure to the uſe of the conuſee. *Lil.* 745.

Covenant that a fine to be levied ſhall enure to the uſe of a purchaſer. 1 *Bridgm.* 29.

Covenant (in deed) that a fine levied shall enure to corroborate the said deed. 1 *Bridgm.* 33. 198: and also the sale of an annuity, notwithstanding the fine be levied of the lands only, and not of rents issuing thereout. *Ibid.* 198.

Covenants of indemnity.

Covenant by a mortgagor to indemnify the mortgagee against actions, &c. for waste, unless wilfully committed by the mortgagee. 1 *Bridgm.* 12.

Covenant to indemnify a purchaser from annuities and judgments. 1 *Bridgm.* 32.

Deed of covenant from a purchaser of premises to pay quit-rents, and indemnify the vendor therefrom. 1 *Bridgm.* 30.

Covenant to save harmless from all actions, &c. 1 *Bridgm.* 250. 311. 316. *(the second of these the most full).*

Covenant to save harmless from suits, &c. on account of a recognizance. 1 *Bridgm.* 145. 2 *Ibid.* 63.

Covenant from a jointress (in settlement made previous to her second marriage) to indemnify her trustees from expences, &c. of the trusts. 1 *Bridgm.* 361.

Covenant that an assignee under commission of bankruptcy will save harmless such commissioners. *Lil.* 523. 527.

The like covenant from creditors (in a deed of distribution). *Ibid.* 532.

Covenant that assignee will bear the assignor harmless from rents and covenants of lease. *Lil.* 483. 622.

One partner in trade (of three) being dead, the survivors, by this deed, covenant to in-

demnify his executors touching the copartnership; and the executors assign their share, and give power to sue, and covenant for further assurances. *Horsm.* 277. Indemnity *continued.*

A deed of covenants from a parcener who had purchased his coparcener's moiety, to indemnify the vendor against the debts of their uncle (from whom the estate came) and against any damages, &c. by reason of a lease which the covenantee had executed. *Horsm.* 294.

A deed of covenant to a purchaser, by the vendor of a manor, scite of a dissolved monastery, advowson, tithes, &c. that the vendor will indemnify the purchaser against a rent reserved upon the grant from the crown, the same being supposed to be discharged, but it not appearing how. *Horsm.* 295.

A deed of covenants by the vendor of lands, to indemnify the purchaser against an old mortgage-term which was paid off, and ought to be assigned to attend the inheritance, but cannot be found; with recitals of the antecedent transactions. *Horsm.* 297.

A vendor of lands covenants to indemnify the purchaser, from dower of the wives of two former vendors of the same lands. *Horsm.* 819.

A special deed of covenants between the sheriff of Middlesex and the under-sheriff, with his four sureties; being chiefly a deed of indemnity to the sheriff. *Horsm.* 1088.

A deed of covenants by a vendor to a purchaser of a manor, &c. which was comprized in the vendor's marriage-articles, but which he had a power to sell, settling an equivalent. The equivalent has been settled accordingly; but, to indemnify the purchaser, his wife and

issue, the vendor agrees to pay off a mortgage affecting the equivalent; and covenants not to charge beyond a certain less sum; and release a power which he had to charge more *Horsm.* 789.

Covenant in assignment of houses for lives that assignees will perform the covenants, &c. of the original lease, and indemnify the assignor. 1 *Pow. Wood*, 768.

Judgments and recognizances.

Covenant that mortgagor will satisfy a judgment chargeable on the mortgaged premises, and in default the mortgagee may satisfy the same and deduct the amount out of the money to be advanced. 1 *Bridgm.* 13.

Covenant to acknowledge satisfaction or otherwise discharge a recognizance. 2 *Bridgm.* 62.

Covenant to acknowledge satisfaction on a judgment, when mortgage-money paid. *Lil.* 649.

Covenant from a vendor to procure a recognizance to be vacated on performance of certain conditions. 1 *Bridgm.* 298.

Covenant to avow suits, &c. which may be commenced on account of a recognizance assigned. 2 *Bridgm.* 62. 135.

Covenants in leases.

Covenant to make a lease within a certain time for the term of eight years. 1 *Bridgm.* 184.

Covenant to grant new leases in the room of old ones surrendered. 1 *Bridgm.* 189.

Covenants usually inserted in a lease for years, together with some special covenants. 2 *Pow. Wood*, 465.

A joint and several covenant in a demise.

for payment of the rent reserved. 1 *Bridgm.* 46. Leases *continued.*

Covenant in leaſe for re-entry on non-payment of rent or aſſignment againſt conſent. 1 *Bridgm.* 260. 305.

Covenant that leſſor may diſtrain in caſe of failure in payment of rent. *Lil.* 635.

Covenant for payment of an additional rent *per* acre, for ploughing up meadow-ground. *Lil.* 628.

Covenant that leſſor will pay all taxes incident to the eſtate. 1 *Bridgm.* 164.

Covenant in a leaſe that leſſor ſhall pay ground rent. *Lil.* 619.

Covenant that leſſor will lend the leſſee a certain ſum out of the firſt half-years rent. *Lil.* 634.

Covenant in leaſe of meſſuages, lands, &c. for leſſee to repair the premiſes demiſed. 1 *Bridgm.* 261.

Covenant that leſſee may dig marl, coal, and mine. 1 *Bridgm.* 16, 17.

Covenant in a leaſe that tenant ſhall have the privilege of digging earth for the purpoſe of making bricks to be uſed on the premiſes. 1 *Bridgm.* 306.

Covenant in a leaſe that all trees cut down, earth dug up for bricks, &c. ſhall be employed on the premiſes and not elſewhere. 1 *Bridgm.* 307.

Covenant that leſſee ſhall grind his corn at the leſſee's mill. 1 *Bridgm.* 16.

Covenant that a leſſor on ſix months notice

may take a demiſed ſhop into his own hands. *Lil.* 619.

Covenant for abatement of rent if leſſor reſume any part of premiſes demiſed. *Lil.* 620.

Covenant from leſſee that he will ſet up and maintain ſufficient land marks. 1 *Bridgm.* 308.

Covenant in a leaſe that the tenant will be at the expence of enclofing certain parts of the demiſed premiſes. 2 *Pow. Wood,* 466.

Letter of attorney.

Covenant to execute new letters of attorney if the preſent attornies die. 2 *Bridgm.* 61. 135.

Covenants in mortgages.

Covenants uſually inſerted in mortgages of leaſehold premiſes, *(accurately drawn)*: 2 *Bridg.* 126. 2 *Pow. Wood,* 427. 3 *Ibid.* 364. 481.

A deed of covenants upon ſurrendering a copyhold eſtate by way of mortgage. 3 *Wms.* 1104.

Covenant for payment of money agreeably to proviſo, and all coſts occaſioned by non-payment. *Lil.* 487.

Covenant to pay mortgage-money by huſband and wife, the huſband being an alien. 2 *Bridgm.* 70.

Covenant that mortgage-money ſhall be paid on ſix months notice being given by either party in ſuch a year, and in default of notice, to be paid on a day certain therein mentioned. 1 *Bridgm.* 35. 227. 256.

Covenant in a mortgage for payment of principal on a certain day, and intereſt in the mean time. 2 *Bridgm.* 128.

Covenant that mortgage-money ſhall be received though tendered after the proviſo-day of payment. 2 *Bridgm.* 486.

Covenant by deed-poll (in the nature of a mortgage of copyhold) that the surrenderor will pay the mortgage-money. 1 *Bridgm.* 185. Mortgages *continued.*

Covenant that mortgagor will pay taxes, &c. incident to the mortgaged estate till forfeiture. 1 *Bridgm.* 36. 101.

The like till the money advanced be repaid. *Lil.* 550.

Covenant from mortgagor of leasehold premises, that he will pay the reserved rent thereon to the original landlord. 1 *Bridgm.* 71.

Covenant that mortgagor shall enjoy till default in payment. *Lil.* 557.

Covenant in mortgage that mortgagor shall receive the rents till default in payment of the mortgage money. 2 *Bridgm.* 73. 138.

Covenant for reduction of interest of mortgage-money if regularly paid. 3 *Pow. Wood,* 427.

Proviso vacating mortgage on payment of the mortgage-money. 1 *Bridgm.* 105. 2 *Ib.* 70.

The like, that on payment of mortgage-money, mortgagee will reconvey. 2 *Ibid.* 129.

Covenant in mortgage by demise and redemise, that if mortgagee enter for non-payment he will ratify subsisting leases. 1 *Bridgm.* 106.

Covenant in a mortgage that if mortgage-money not paid, the mortgagee shall have an absolute and indefeasible estate on paying a further sum. 2 *Bridgm.* 38.

That the mortgagor will convey to the mortgagee in fee-simple. (*no stipulation for a further sum*). 3 *Pow. Wood,* 366.

Mortgages *continued.*

Covenant in a mortgage that the land is of such a yearly value. 1 *Bridgm.* 42. 2 *Ibid.* 127. *Lil.* 556.

And at a future period ſhall be of greater value. 1 *Bridgm.* 33. 37. 2 *Ibid.* 133.

Covenant in mortgage that mortgagor ſhall rebuild if premiſes burnt down. 2 *Bridgm.* 13.

Covenant that a judgment obtained on bond ſhall ſtand as a further ſecurity for the mortgage-money; but that execution ſhall be ſtayed till default in payment. *Lil.* 649.

Covenant in a mortgage of plantations, that the produce thereof ſhall be conſigned to the mortgagee in truſt to ſatisfy the intereſt of the mortgagee, &c. 3 *Pow. Wood*, 379.

Covenant, in a mortgage, by prior mortgagees, to poſtpone their ſecurity till the preſent mortgage ſatisfied. 3 *Pow. Wood*, 378. *Ibid.* 427.

That former mortgagees ſhall ſtand poſſeſſed of the premiſes for the benefit of the preſent mortgagees. *Ibid.* 379.

Covenant in a mortgage of a college leaſe that the covenants on the leſſee's part have been hitherto performed. 1 *Bridgm.* 10.

Payment of money.

Covenant to pay a ſum of money on previous notice given. 1 *Bridgm.* 49.

Covenant (by indenture in the nature of a mortgage) on ſurrender of copyholds, to pay a ſum of money by inſtallments. 1 *Bridg.* 135.

Covenant to pay the expences attending any ſuits reſpecting certain premiſes. 1 *Bridg.* 252.

Covenant to pay a certain ſum for the re-

purchaſe of premiſes on reconveyance thereof being tendered. 2 *Bridgm.* 477. Payment of money *continued.*

Covenant to pay money upon a decree being obtained in Chancery. *Lil.* 470.

Covenant for payment of a penſion annuity, tenths, &c. to the vicar-choral of the ſtall of a prebend, in addition to the reſerved rent. *Lil.* 635.

Covenant for reimburſing the charges, &c. of a truſtee. *Lil.* 609.

A deed of covenants between three vendors of lands and the purchaſer; whereby the purchaſer covenants to pay certain rents and annual payments to which the lands are liable; and the vendors and purchaſer mutually covenant to recompence each other reſpectively, as the caſe may be, if any land, for which one of theſe payments is to be made, ſhall be evicted and the payment ceaſe. *Horſm.* 290.

Deed of covenant that certain individual members of ſubſcribers of ſtock for the benefit of the corporate body of the ſame ſociety, will pay an annual ſum to the ſaid corporation towards reimburſing expences in building warehouſes, &c. and for the uſe thereof. 1 *Wms.* 41. (*J. H.*)

Deed of covenant relative to an intended purchaſe under ſpecial circumſtances. 1 *Bridg.* 296. Relative to purchaſes.

Note. *The vendee being akin to the vendor, is deſirous the eſtate may not be ſold out of the family, and being in hopes of raiſing the money to purchaſe it, this deed is made to manifeſt the intention of the parties in caſe the money can be raiſed.*

Purchaſes *continued.*

Covenants (uſual) on the purchaſe of copyholds in ſeveral manors. 1 *Bridgm.* 115.

Covenant to lay out the reverſion of bank ſtock and mortgage monies (when in poſſeſſion), in the purchaſe of a freehold eſtate to be ſettled as in the preſent deed directed. 2 *Wms.* 715.

Deed of covenant (to accompany purchaſe deed) that the vendee will reconvey the eſtate to the vendor on his paying ſuch a ſum on a day certain; with ſpecial clauſes for effectuating the intention of the parties, and preventing the deed being taken as a mortgage. 1 *Bridgm.* 56.

Covenant under ſimilar circumſtances for completing the purchaſe on a conveyance being tendered. 2 *Ibid.* 477.

Covenant by a father, tenant for life, to procure a conveyance for his ſon of the reverſion of the premiſes, on his attaining the age of twenty-one years. 1 *Pow. Wood*, 512.

Covenant (by indenture) to diſcharge a purchaſer from a certain covenant in the purchaſe deed. 1 *Bridgm.* 247.

Covenant that a purchaſer ſhall confirm the leaſes and contracts of the tenants in poſſeſſion. 1 *Bridgm.* 7.

Covenant that purchaſer takes the eſtate ſubject to all riſks, and that the vendor ſhall not be liable on account of diſturbance. 1 *Bridgm.* 29.

Covenant between truſtees of eſtates and a purchaſer of part thereof, in reſpect to the diviſion of boundaries of marſh lands. 1 *Bridg.* 355.

Covenants to produce writing for the maintenance of purchasers title. 1 *Bridgm.* 32. 2 *Ibid.* 466. *Lil.* 537. 790. Production, &c. of deeds

The like with a proviso that they shall be redelivered when made use of. 1 *Bridgm.* 37.

A deed of covenants between three vendors of lands, and the vendee; who are respectively to have the custodies of several title deeds, and mutually to produce them for the service of each other. *Horsm.* 288.

A deed of covenants by the vendors of fee-farm rents, (for the separate use of a feme covert) to produce deeds at the request of her, or her trustees, &c. *Horsm.* 293.

A covenant by deed-poll, to produce deeds (mentioned in a schedule) to protect a purchase. This deed from a vendor to a purchaser of a share in the New River, &c. *Horsm.* 307.

Covenant by a vendor for the production of such title deeds as relate to other lands besides, and of greater value than, those sold. 2 *Pow. Wood*, 432.

A like with reference to a schedule thereof annexed. *Ibid.*

A like covenant for the reciprocal production of title deeds by the vendor and vendee; part of the deeds being transferred to the vendee and part retained by the vendor. 2 *Pow. Wood*, 432.

Covenant in a mortgage for the production of deeds deposited in the hands of a third person, for the mutual benefit of the mortgagor and mortgagee. 2 *Pow. Wood*, 433.

Covenant by tenant for life in a deed of appointment under a settlement, for production

of title deeds, &c. to a purchaſer. 1 *Pow. Wood*, 505.

Covenant to deliver deeds on receipt of purchaſe-money. 1 *Bridgm.* 297.

Covenant that mortgagee ſhall deliver writings upon payment of mortgage-money. 1 *Bridgm.* 13.

Covenant, by way of grant, to a purchaſer of deeds and writings relating to the eſtate, (eſpecially conſidered, the vendors having ſeveral intereſts), *Ibid.* 18.

The like when the whole of purchaſe-money ſhall be paid. *Ibid.* 297.

Releaſe. Covenant not to releaſe an action for eſcape of a priſoner. 1 *Bridgm.* 249.

Covenant to give releaſe on payment of money. *Horſm.* 462. 489.

Covenant from huſband that he will, on ſolemnization of the marriage, releaſe bequeſts made to the wife's ſeparate uſe, &c. *Horſm.* 504. 656. 675.

Renewal. Covenant (in demiſe for payment of debts) that leſſor ſhall be at liberty to renew, and truſtees will ſurrender for that purpoſe on his giving ſecurity to reſettle the ſame within a limited time thereafter. 1 *Bridgm.* 318.

Covenant in a mortgage for procuring renewal of a leaſe, and to demiſe the ſame. *Lil.* 659.

Revocation Covenant not to revoke a power of attorney. 1 *Bridgm.* 250. 315.

Covenant to revoke a deputation upon requeſt. *Lil.* 458.

And to appoint a new deputy. *Ibid.*

Settlements Covenant in a ſettlement by the huſband

that the jointure lands are of a certain annual value. 1 *Bridgm.* 303. Settlements *continued.*

And shall continue during the wife's life, of a certain annual value. 3 *Pow. Wood*, 644.

Covenant that jointress shall pay taxes incident to her rent-charge. 1 *Bridgm.* 152.

Covenant that jointure lands shall be free from the payment of an annuity chargeable thereon. 2 *Bridgm.* 38.

Covenant from husband in marriage settlement that he will leave an estate of a certain value to descend to his heir. 1 *Bridgm.* 178.

Covenant in marriage articles to settle estates of such a value. *Ibid.* 183.

Covenant (in deed of trust) to pay a yearly sum to a wife for her separate use. 2 *Bridgm.* 56.

Covenant that the settled estates are of such a value. *Horsm.* 20.

A deed of covenants, between a citizen of London and his son in law; to give an addition to the daughter's portion; which is accepted in full of her advancement, and in lieu of the custom. *Horsm.* 460.

Covenant in a settlement by the intended husband to settle other monies if acquired on suits depending. 3 *Pow. Wood.* 679.

A covenant before marriage, by the husband; that the wife may dispose of jewels, &c. and that he will not obstruct her, but confirm, &c. *Horsm.* 462.

Covenant by a husband, that he will not intermeddle with the portions of his wife's children by a former husband. 1 *Bridgm.* 118.

Covenant by a husband with trustees in a settlement that he and his posterity by the woman shall quarter her coat of arms. 2 *Bridgm.* 469.

Covenant by husband to defray the expences of keeping marsh lands settled in jointure from being overflowed. 1 *Pow. Wood*, 644.

Covenant in a marriage settlement that the estates shall continue on the several uses limited. 3 *Pow. Wood*, 644.

Sheriff. Covenants for allowing an under sheriff to appoint clerks, &c. *Lil.* 460.

And to take securities of them for the discharge of their duty. *Ibid.*

To indemnify the high sheriff from actions. 460, 461, 462, 463.

For the due execution of writs, &c. 460.

To make true returns of writs, 461.

For payment of duties and monies levied, 461, 462.

To levy debts due to the king, 461.

To pay such debts as directed by writ. *Ibid.*

To pay fees, fines, &c. 463.

To attend the high sheriff when required, and obey his orders. *Ibid.*

To pass the accounts of the high sheriff, and procure his quietus. *Ibid.*

The under-sheriff shall take charge of the county-goal and be answerable for escapes, 464.

Note: *The above covenants relative to the office of sheriff are drawn with accuracy and neatness.*

Covenant (in feoffment) to ſurrender copyholds to the uſe of the purchaſer. 1 *Bridgm.* 31. 115. Surrender.

Covenant to ſurrender copyholds and that the ſame ſhall when ſurrendered be free from incumbrances. 2 *Bridgm.* 83.

Covenant to ſurrender copyholds at a court-baron. 2 *Bridgm.* 83.

A covenant in a leaſe of copyhold premiſes that leſſor ſhall ſurrender the ſame to the uſe of the leſſee on notice of his deſiring to purchaſe them. *Lil.* 623.

Covenant that a vender of copyholds ſhall ſurrender the ſame upon requeſt within 7 years. 1 *Bridgm.* 30.

Covenant to ſurrender a term on the truſts thereof being performed. 2 *Bridgm.* 37. 54. 114.

Covenant from truſtees to ſurrender leaſeholds in order to renewal, upon bond given for ſettling the renewed leaſes to the ſame uſes. *(well drawn).* 1 *Bridgm.* 318.

Covenant for ſurrendering an office upon notice. *Lil.* 472.

Covenant that there ſhall be no benefit of ſurvivorſhip in reſpect to an annuity. 2 *Bridgm.* 45. Survivorſhip.

Covenants in deed of copartnerſhip that there ſhall be no ſurvivorſhip in a leaſe. 1 *Bridgm.* 327.

Covenant between copartners that one will not diſpoſe of his part of the leaſe without the others conſent. 1 *Bridgm.* 338.

Covenant that there ſhall be no ſurvivorſhip between two mortgagees. 2 *Bridgm.* 92.

Covenant that there ſhall be no ſurvivorſhip in a rent-charge. 2 *Bridgm.* 45.

Deed of covenant and declaration that there ſhall be no benefit of ſurvivorſhip in reſpect to the third part of an eſtate. 2 *Bridgm.* 46.

Covenant that there ſhall be no benefit of ſurvivorſhip in reſpect of money advanced by two mortgagees. 1 *Bridgm.* 11.

Title to eſtates. Covenants for the title to eſtates from three perſons ſeverally, and not jointly, for themſelves and wives. 1 *Bridgm.* 290.

Covenant to make a title to ſuch parts of premiſes releaſed as are copyhold. *Lil.* 616.

Covenants, in a releaſe upon truſt, for the right, title, quiet enjoyment, and further aſſurance of freehold and copyhold lands, *(well drawn).* 2 *Pow. Wood,* 426.

(Grantor ſeized, &c.) Covenant that grantor is lawful owner, &c. notwithſtanding any acts done by himſelf, his father, his grandfather, or others with their privity. 1 *Bridgm.* 24.

That he or his wife are owners, &c. *Ibid.* 101.

Covenants, that truſtees ſhall ſtand ſeized to the uſe of leſſees under powers in deed of ſettlement. 2 *Bridgm.* 139.

Covenant, that if conveyance prove defective, the grantors will ſtand ſeized to the uſes therein expreſſed. 2 *Bridgm.* 102.

Covenant, (by indenture) that the covenantor will ſtand ſeized to the uſe of another, with power of revocation, *(ſhort).* 2 *Bridgm.* 140.

Covenant to ſtand ſeized of premiſes, not well conveyed, to the uſes in the deed mentioned. 2 *Pow. Wood*, 422. Title *continued.*

A ſimilar covenant. *Ib d.* 423.

Covenant in feoffment, that grantors are ſeized in fee, and will continue ſo till the eſtate be veſted in the grantee. 1 *Bridgm.* 20. 265.

That grantor was ſeized in fee and continued ſo till fine levied. *Ibid.* 75.

Covenant that ſurrenderor is ſeized in fee according to the cuſtom of the manor, of copyholds. 1 *Bridgm.* 115.

Covenant that a vendor is ſeized of other lands of ſuch an annual value, and will continue ſo till he enter into recognizance for performance of covenants. 1 *Bridgm.* 12.

Covenant that grantors are ſeized in fee ſimple or fee tail. 2 *Bridgm.* 126.

Covenant by huſband and wife in a ſettlement that they are ſeized in fee and will ſo continue till the inheritance is veſted in the grantees. 2 *Bridgm.* 38.

Covenant in a mortgage that truſtees are ſeized in fee, ſubject only to an equity of redemption. 2 *Bridgm.* 71.

Covenant that bargainors are ſeized of premiſes and will continue ſo till the eſtate conveyed is veſted in the bargainee. *Lil.* 536.

Covenant that a ſtatute recognizance hath not been nor will be releaſed. 1 *Bridgm.* 90.

The like of a bond. *Ibid.* 120. 310.

Title *continued.*

Covenant that a bond and judgment is still in force and the money *bona fide* due thereon. *Lil.* 608.

(Right to convey.)

Covenant by a feoffer that he has authority to convey. 1 *Bridgm.* 20.

By a bargainor. *Ibid.* 75. 273.

By the grantor of a rent charge. *Ibid.* 78. 245.

By a releasor. *Ibid.* 160.

By a mortgagor. *Ibid.* 101.

By a surrenderor. *Ibid.* 136.

By a lessor. *Ibid.* 167.

By an assignor of a lease. *Ibid.* 233. *Lil.* 480.

Covenant (in a deed of appointment) by tenant for life under a settlement that he or the trustees in such settlement have power to revoke, re-appoint, &c. *Horsm.* 20. 37. 1 *Pow. Wood*, 504.

Covenant by husband and wife in a deed of appointment that they have power to appoint; have not encumbered, and for further assurance. 1 *Pow. Wood*, 541, 542.

Covenant in assignment of a legacy that the same is due, has not been assigned, that the assignor will not release the same, and for further assurance. 1 *Pow. Wood*, 810.

(Quiet enjoyment.)

A several covenant for quiet enjoyment (*between many parties*). 2 *Bridgm.* 40.

Covenants for quiet enjoyment by a grantor (*well drawn*). 1 *Bridgm.* 25. 284. *Horsm.* 20. 37.

The like by a lessee. 1 *Bridgm.* 44. 122.

The like by a jointress and *cestui que use* under a settlement. *Ibid.* 86.

The like by a mortgagee. *Ibid.* 10. 69. 192. Title *continued.*

Covenant by husband and wife for quiet enjoyment of premises the property of the wife. 2 *Bridgm.* 174.

Covenant (in mortgage) for quiet enjoyment according to the respective intereſt of the ſeveral parties. 1 *Bridgm.* 228.

Covenant for quiet enjoyment in the mortgagor till default in payment of the mortgage-money on the day limited. 2 *Bridgm.* 129.

Covenant in a mortgage that in default of payment truſtees ſhall peaceably enjoy free from incumbrances (*full, with an exception as to a truſt*). 2 *Bridgm.* 71.

Covenant that truſtees ſhall enter into and quietly enjoy premiſes conveyed to them as a ſecurity againſt a breach of truſt, ſhould they be made anſwerable for ſuch breach. 1 *Bridgm.* 358.

Covenant for quiet enjoyment of ſuch part of releaſed premiſes as are copyhold. *Lil.* 616.

Covenant for quiet enjoyment free from ground-rent, and other incumbrances. *Lil.* 632.

Covenant in ſurrender of leaſes, for the quiet enjoyment of the tenants till a given day. 2 *Bridgm.* 159.

Covenant for peaceable enjoyment, in the aſſignment of a leaſe. 2 *Pow. Wood,* 415.

Note. *Obſervations on the legal effect and extent of the words,* "*Paying and performing,*" *and* "*means, default, conſent, or procurement, annexed to this covenant.*"

Title, *continued.*

Covenant for quiet enjoyment of the office of under-sheriff. *Lil.* 460.

Covenant that the vendor shall not be answerable for any disturbance in the purchasers possession, except by himself or ancestors. 1 *Bridgm.* 29.

Covenant that purchaser if disturbed in his possession of purchased premises shall quietly enjoy others conveyed to him as a collateral security. 1 *Bridgm.* 168.

Covenant that vendor of certain premises shall enjoy premises, demised to purchasers as a collateral security, till such purchaser be disturbed in his possession. *Ibid.* 169.

Free from incumbrances.

Covenant that premises are free from incumbrances created by the grantor. 1 *Bridgm.* 20. 114. 132.

The like by the grantor or his ancestors. *Ibid.* 25. 160. 163. 284.

Covenant that assignor of debts has not done nor will do any act to prevent the assignees's receiving them. *Lil.* 511.

Covenant from trustees severally, that they have not encumbered. 1 *Pow. Wood.* 504.

Covenant by a trustee, that he will not encumber the estate. 2 *Bridgm.* 300.

Covenant that copyhold lands are free from former surrenders and incumbrances. 1 *Bridgm.* 115. 2 *Ibid.* 83.

Covenant that premises are and shall continue to be free from incumbrances, (*with many exceptions*). 2 *Bridgm.* 39.

Covenant that copyhold lands shall be free from incumbrances when surrender made. 2 *Bridgm.* 83.

Covenant that premiſes are tythe free. 1 *Bridgm.* 163. (Title continued.)

Covenant by father and ſon to free an eſtate from a ſubſiſting mortgage by a certain time. 1 *Bridgm.* 11.

To free the ſame eſtate from all other incumbrances by a further time. *Ibid.*

Covenant that premiſes ſhall be free from incumbrances when further aſſurance made. 2 *Bridgm.* 130.

Covenant by one who has an eſtate in fee-ſimple in one moiety and an eſtate for life in the other moiety of lands ſold, with the purchaſer that he has not encumbered; is ſeized as aforeſaid; has right to convey; for quiet enjoyment; and for further aſſurance. 1 *Pow. Wood*, 511. 512.

Covenants for further aſſurance by a feoffer, 1 *Bridgm.* 21. 27. (*Further aſſurance.*)

By a bargainor. *Ibid.* 174.

By a leſſor. *Ibid.* 45.

By the aſſignor of a leaſe. *Ibid.* 233.

By a releaſor. *Ibid.* 76.

By a ſurrenderor. *Ibid.* 225.

By a mortgagor in fee. *Ibid.* 43. 102.

By a mortgagor for years. *Ibid.* 38.

By a copyholder. *Ibid.* 115. 137.

By the conuſee of a ſtatute ſtaple, upon an aſſignment. *Ibid.* 90.

Covenant for further aſſurance by an obligee in the aſſignment of a bond. *Bridgm.* 119.

Title continued.

Covenant for further assurance, so that the same contains no farther warranty nor other covenants for quiet enjoyment, or of the premises being free from incumbrances than in the present deed. *Lil.* 498.

Covenant (several) for further assurance *(well penned)*. 2 *Bridgm.* 80. *Horsm.* 20. 49.

The like (joint). 2 *Bridgm.* 127.

Covenant for further assurance in a settlement, *(very full)*. 1 *Bridgm.* 220.

A covenant for further assurance, *(specially drawn)*. *Horsm.* 835.

Covenant that obligor in statute will make further assurance of the lands when extended. 1 *Bridgm.* 90.

Covenant from man and his wife for further assurance subject to a proviso in the deed. *Lil.* 470.

Covenant from executors for further assurance within seven years *(with a variation making it applicable to either a joint or several covenant)*. 2 *Bridgm.* 453.

Covenant that grantor will make further assurance on request within seven years. *Lil.* 575.

Covenant for further assurance of copyhold lands at all times, within seven years. 2 *Bridgm.* 83.

Covenant to make further assurance within the space of ten years. 2 *Pow. Wood*, 672, 674.

Covenant by husband and wife, that wife shall make further assurance when she becomes of age. 2 *Bridgm.* 174.

Covenant by man and his wife for further assurance in default of payment of mortgage-money. 2 *Bridgm.* 72. Title *continued.*

Covenant by a mortgagor to make further assurance on failure of payment. *Horsm.* 303. 317.

Covenant (in deed of appointment) by trustees in a settlement and tenant for life, with a purchaser for further assurance. 1 *Pow. Wood*, 505.

Covenant in assignment of copartnership effects; for further assurance in order to enable the assignee to recover. 2 *Wms.* 713. 809.

Covenant that an obligee in a statute shall be permitted to extend the lands; and that further assurance shall be made thereof. 1 *Bridgm.* 90.

A deed of covenants from an heir at law, and his younger brother, the devisee of a manor and advowson, to a purchaser under a private act; to procure another act, to rectify an omission in the former; and to procure an exchange of part of the lands, &c. concluding with an obligation, &c. *Horsm.* 285.

Covenant to procure a new act in the room of one that is found to be defective. *Horsm.* 286.

To procure an act of parliament, or a decree in chancery to ascertain and establish the value of jointure, lands, &c. *Horsm.* 672. 675.

Covenant that a conditional assignee of certain premises shall enter thereon if evicted from other premises. *Lil.* 470.

Warranty. A covenant of warranty in a conveyance. *Lil.* 539. 571.

The like in a bill of ſale. *Ibid.* 635.

Declaration of truſt.

DECLARATIONS OF TRUST.

Annuity. DECLARATION of truſt in reſpect to an annuity to his majeſty for the uſe of St. *Magdalen's College, Oxon.* 2 *Bridgm.* 89.

Declaration of the uſe of a truſt to raiſe an annuity or rent-charge in lieu of dower. 2 *Bridgm.* 35.

Declaration of the truſt of a term (being part of another deed) for the better payment of an annuity. *Horſm.* 326.

Bond. Declaration that a perſon's name in a bond is only in truſt. *Lil.* 782.

A declaration of truſt by the obligee in a bond, that part of the principal money belongs to his ſiſter. *Horſm.* 322.

A declaration of truſt in reſpect to an annuity bond. 2 *Wms.* 858. (*B*—)

A declaration that truſtees ſhall ſtand poſſeſſed of a bond upon the ſame truſts as are elſewhere declared reſpecting South-Sea ſtock. 2 *Wms.* 862. (*Melmoth*)

Charities. Deed of declaration of truſts, by which certain truſtees declare and ſpecify the truſts; to pay to godly poor, to appoint times and places for meeting to execute the truſts, to appoint a receiver, to account, to fill up their numbers &c.; with power to leaſe, &c. *Horſm.* 215.

A declaration of truſt of lands ſettled to charitable uſes. Many recitals of regulations

for the well ordering and diſpoſition of the charity. *Horſm.* 221. Charity *continued.*

A declaration of the truſt of lands deviſed upon a contingency for the benefit of diſſenting teachers, &c. this deed is between the deviſor and his deviſees, the truſtees; clauſe for filling up the number, and indemnifying and rewarding the truſtees. *Horſm.* 204.

A deed declaring the truſts of certain freehold and leaſehold lands ſettled for the ſupport of the diſſenting miniſtry and intereſt; with divers directions for the filling up the number of truſtees, and regulating the execution of the truſt. *Horſm.* 207.

A declaration of the truſt of a place to be uſed as a meeting-houſe, with a proviſion in certain caſes to ſell the premiſes, and diſtribute the money to the poor; alſo for filling up the number of truſtees from time to time. *Horſm.* 227.

Declaration of truſt that eſtate was conveyed not abſolutely, but only in truſt; with covenants from truſtee to convey according to direction. 2 *Bridgm.* 299. Conveyance.

Declaration of truſt (in a deed) that eſtate ſhall be ſold for payment of debts, and intereſt applied for the ſame purpoſe in the mean time. 1 *Bridgm.* 12. Debts.

Declaration of truſt (in a leaſe) for payment (out of rents, &c.) of a particular debt, and afterwards for ſupport of a wife and children. 1 *Bridgm.* 317.

Declaration of truſt (in an aſſignment) to pay a debt and maintain and educate a child. *Lil.* 513.

Deed-poll, by which a father declares that money due to him from his ſon-in-law, ſhall be taken in part of the daughter's ſhare of a reſiduary eſtate ſettled on her. *Horſm.* 46.

Deviſe. A deed between a feme covert and the truſtee in her will, declaring a deviſe therein made to be in truſt to follow her future appointment. *Horſm.* 323.

Indemnity. Declaration and covenant, as an indemnity againſt a doubtful title, in reſpect of part of premiſes ſold. The purchaſer paid only part of the purchaſe-money, and for the reſidue made a mortgage to the vendor; the vendor therefore covenants and declares that the purchaſer may retain part of the money in his hands (at intereſt) until an act, or other indemnity be procured; and that he will endeavour to procure it. A proviſion as to what to be paid on eviction. *Horſm.* 814.

Jointure. Declaration of the truſt of a term created as a collateral ſecurity for augmenting the jointure of a wife in caſe ſhe ſhall ſettle her own lands on attaining 21. 1 *Bridgm.* 180.

Leaſe. Declaration of truſt that a leaſe and judgment were aſſigned for the purpoſe of keeping the ſame on foot as a collateral ſecurity for a ſum advanced on mortgage. 2 *Bridgm.* 114.

A declaration of truſt relating to an aſſignment of a leaſe. 2 *Wms.* 860.

A declaration of truſt from leſſees, that the leaſe has been granted for the benefit of a proprietary fund. 2 *Wms.* 865.

A declaration of truſt that the leaſe of a meeting-houſe, ſhall be uſed only as ſuch. *Horſm.* 220.

Declaration of truſt as to leaſehold eſtates, to reſerve ſufficient of the rents to renew leaſes and then to the uſes of a ſettlement. 2 *Pow. Wood*, 609.

A declaration that a part of mortgage-money is the property of a third perſon who ſhall have an equal benefit in the mortgage deed. 2 *Bridgm.* 47. 90. Mortgage.

The like where a fine was levied, with the addition of a covenant to ſtrengthen the third perſon's ſecurity. *Ibid.* 116.

Declaration (indorſed on a mortgage deed) by which truſtees, &c. in a ſettlement, declare that conſideration money was not theirs; but was part of the marriage-portion of the wife of the mortgagor, and is now placed out on ſecurity, till it can conveniently be inveſted in a purchaſe of lands. *Horſm.* 320.

A declaration of truſt in a mortgage, that the money lent was not the property of the mortgagee; this deed contains alſo a covenant to convey, &c. *Horſm.* 321.

Declaration in a mortgage that a bond and judgment ſhall ſtand as a collateral ſecurity for the mortgage-money. 3 *Pow. Wood*, 428.

A declaration of truſt in reſpect to the tranſfer of a mortgage. 2 *Wms.* 852. *(Maire)*

Declaration of truſt (by deed poll) made by truſtees under a ſettlement in reſpect to lands purchaſed by them in the lieu of lands of the wife which had been ſold; declaring the ſame to be by them held to ſuch and ſuch uſes. 1 *Bridgm.* 94. Purchaſes.

A declaration of truſt by the lender of ſome money to complete a purchaſe (which was made in truſt) that part of the money lent was not his own, but belonged to another perſon; and that (as to ſo much) a term raiſed in the purchaſe-deed, and alſo a collateral real ſecurity made by the *ceſtui que truſt* of the purchaſed lands, are in truſt for the owner of this part of the money. *Horſm.* 324.

Renters ſhares. Declaration of truſt by a man and his wife in reſpect of two renters ſhares in a theatre; *viz.* that they are held in truſt for another who alone is beneficially intereſted therein. 2 *Pow. Wood*, 608.

Stock. A declaration of the truſt that bank-ſtock, &c. transferred by a woman before marriage, ſhall be transferred to the intended huſband if the marriage takes effect within a certain time. *Horſm.* 322.

A declaration of truſt (by indorſement) between the owners and truſtees of certain government ſecurities, which have been ſubſcribed and altered under acts of parliament. *Horſm.* 325.

Declaration of the truſts of ſtock, till an infant attain twenty-one, and convey a reverſion of an eſtate. 1 *Pow. Wood*, 509.

Declaration of truſt relating to ſtock transferred for ſecuring an annuity. 2 *Wms.* 867. (*Fogg*)

Declaration of truſt relating to ſtock transferred as a collateral ſecurity againſt the forfeiture of an obligation. 2 *Wms.* 876. (*Webb*)

A declaration of truſt, in reſpect to bank annuities purchaſed with the reſidue of a per-

sonal estate, and transferred to trustees, in pursuance of directions contained in a will. 2 *Vern.* 683. *(Wyfon)*

Declaration of the uses of a fine levied of an estate for life, *(short)*. 1 *Bridgm.* 87. (*Uses of fines.*)

Declaration in a settlement of the uses of a fine and recovery already had. 2 *Bridgm.* 3. 125.

The like to be had. *Ibid.* 119.

Declaration of the uses of a fine to be in trust for the payment by a husband of legacies which may be left by his wife's will, *(short)*. 2 *Bridgm.* 170.

Declaration of the uses of a fine, with covenant for quiet enjoyment in the *cestui que use*. 2 *Bridgm.* 171.

The like with covenant against incumbrances, and for further assurance. 2 *Ibid.* 445.

Declaration of the uses of fine, to be such as a feme covert should by deed or will appoint. 2 *Pow. Wood*, 586.

Declaration of the uses of a recovery by deed to lead the same. 2 *Bridgm.* 122. (*Of recovery.*)

Declaration of uses of a recovery. *Lil.* 579.

Declaration of the uses of a recovery to corroborate a mortgage. 2 *Pow. Wood*, 587.

DEFEAZANCES. *Defeazance*

A DEFEAZANCE of an agreement, in marriage-articles to pay an additional portion; the same being hereby declared void upon contingencies. *Horsm.* 339. Of an agreement.

A defeazance by deed-poll, of part of a deed of appointment by a father upon a contingency, *(the circumstances special)*. *Horsm.* 327. Appointment.

Convey-ance. A defeazance (between a mortgagee and her truſtees and the mortgagor) by deed, declaring certain conveyances to be only by way of mortgage to ſecure a ſum of money and intereſt. Proper covenants between mortgagor and mortgagee. *Horſm.* 332.

Recogni-zances, &c. Defeazance (by indenture) of a ſtatute ſtaple for payment of money. 1 *Bridgm.* 52.

Defeazance (by indenture) of a ſtatute merchant, for performance of covenants in a deed. 1 *Bridgm.* 53.

Defeazance of a recognizance, for performance of covenants. 1 *Bridgm.* 313.

Defeazance of a recognizance in the nature of a ſtatute ſtaple, on payment of a ſum of money, with a covenant for ſuch payment. 2 *Bridgm.* 48.

The like without covenant. *Ibid.* 549.

A defeazance of a recognizance in nature of a ſtatute-ſtaple, on payment of principal and intereſt ſecured thereby. *Horſm.* 331. 335.

Defeazance of a recognizance; by deed declaring a recognizance entered into by a vendor of lands to a ſecond vendee, to be only as a ſecurity to indemnify the purchaſed lands againſt tithes, except a certain modus. *Horſm.* 328.

A defeazance of a recognizance which a vendor of lands acknowledged to the purchaſer, as a ſecurity againſt a poſſible charge; to be void on the vendor's procuring a proper indemnity. *Horſm.* 337.

Warrant of attorney. A defeazance between two obligors and the obligee in a bond, declaring that a certain warrant of attorney is for the ſame ſum; that ſame ſhall be delivered up on payment,

or if judgment entered, ſatisfaction ſhall be acknowledged. *Horſm.* 336.

DEMISES.

Demiſe.

DEMISE of a manor for ninety-nine years, for ſecuring an annuity for the life of the leſſee. 1 *Bridgm.* 43. For collateral ſecurity.

Redemiſe of the ſame premiſes for the like term, if leſſee ſo long live. *Ibid.* 45.

A like demiſe for one thouſand years, with redemiſe for nine hundred and ninety-nine years. *Ibid.* 103.

Demiſe for life, and redemiſe for years, to ſecure a rent-charge in lieu of dower. 2 *Bridg.* 383. 386.

Demiſe (in deed of ſettlement) to truſtees to ſecure annuity to the wife. *Horſm.* 36.

Demiſe of premiſes to a truſtee as a collateral ſecurity for a feme covert's levying a fine when of age. 1 *Bridgm.* 165.

A demiſe by way of collateral ſecurity. The vendor of lands which were liable to certain rent-charges (or ſo ſuppoſed to be) to indemnify the purchaſer, demiſes other lands to a truſtee for a long term of years to indemnify the purchaſer. *Horſm.* 340.

The vendor of lands, with his truſtee (which lands were ſubject to a rent-charge for the life of a woman) demiſes other lands to the vendee, as a collateral ſecurity againſt the ſaid rent-charge. *Horſm.* 345.

A demiſe by way of collateral ſecurity to a purchaſer. Lands being charged by a will with debts and legacies, and deviſed for ſeveral particular eſtates, and finally deviſed in

fee to a feme ſole, who was alſo heir at law; ſhe marries, and ſhe and her huſband having ſold part to one who ſold the ſame to another; the vendors demiſe other lands to the ſecond purchaſer, as a collateral ſecurity againſt debts and legacies; and their truſtees of certain terms, covenant to ſtand poſſeſſed in truſt for the purchaſer. *Horſm.* 349.

Indemnity. Demiſe of the moiety of manors, &c. for five hundred years to a ſurety, to indemnify him againſt recognizances, and a bond. 1 *Bridg.* 143.

Demiſe for one thouſand years, of lands, &c. from a guardian to truſtees in a will to indemnify them againſt the payment over of ſurplus monies, during the infant's minority. 1 *Bridgm.* 356.

A demiſe (by three vendors of meſſuages, &c. to two truſtees of the purchaſer) of certain other meſſuages, &c. to indemnify the purchaſer againſt certain payments ſuppoſed to be charged on the purchaſed meſſuages, together with other lands. *Horſm.* 348.

In truſt. Demiſe of lands, &c. by huſband and wife for ſixty-years, in truſt for the wife, purſuant to an agreement before marriage. 1 *Bridg.* 115. 122. 294. (*the ſame*)

Demiſe of manors, &c. from a jointreſs (previous to her ſecond marriage) for ninety-nine years, upon truſt for her ſeparate benefit, (*well drawn.*) 1 *Bridgm.* 359.

A demiſe by huſband and wife, of lands for a long term, in truſt for themſelves; and a covenant to levy fines of freeholds, and lands in ancient demeſne, to make good the term. *Horſm.* 358.

Demiſe by a father and ſon for a long term, determinable on the death of the ſurvivor, to a truſtee, in truſt to permit them ſucceſſively to take the profits. *Herſm.* 361.

DEPUTATION.

Deputation.

A DEPUTATION of a bailiff to receive fines &c. ariſing within a hundred. *Lil.* 691.

Deputation of an attorney to inſpect another's accounts. *Ibid.* 458.

Deputation of an under-ſheriff. *Ibid.* 459.

Deputation of the office of ſurveyor of the cuſtoms. *Ibid.* 692.

Deputation of a biſhop's regiſter. *Ibid.* 694.

A deputation from the ſteward of a manor to a perſon to take a ſurrender. 2 *Wms.* 518. *(T. W. W.)*

See APPOINTMENT.

DISTRIBUTION.

Diſtribution

A DEED of diſtribution by commiſſioners of bankruptcy, of bankrupt's eſtate amongſt his creditors, *(well drawn, and many ſpecial recitals.)* *Lil.* 528.

DISTRESS.

Diſtreſs.

CLAUSES of diſtreſs for a rent-charge, and *nomine pœnæ.* 1 *Bridgm.* 78. 151. 208. 246.

Clauſes of diſtreſs for an annuity. *Lil.* 785.

See ANNUITY; PROVISO.

DONATIVE.

Donative.

A DONATIVE of a parſonage, with a letter of attorney to deliver ſeizin. 2 *Bridgm.* 30.

DOWER. *See* ASSIGNMENT; RELEASE.

Enfranchiſement.

ENFRANCHISEMENT.

A DEED of enfranchiſement by bargain and ſale by the lord of a manor, of copyhold premiſes to three of his tenants. *Horſm.* 282.

Bargain and ſale by the lord of a manor to three tenants by way of enfranchiſement, *(well drawn.)* *Horſm.* 283.

Exceptions.

EXCEPTIONS.

EXCEPTION in a deed of the produce of mines. 1 *Ereadgm.* 15.

Exception of wood. *Ibid.* 198.

Exception of dower. *Ibid.* 20.

Exceptions of leaſes. *Ibid.* 26. 104. 233. 266. 303.

Exception of a jointure. *Ibid.* 303.

Exception of an annuity. *Ibid.* 161.

Exception of a proviſo. *Ibid.* 104.

Exceptions of leaſes and rents to be payable by the grantee. *Lil.* 481.

Exception of part of the premiſes. *Lil.* 481. 497.

Exception of a jointure charged on the premiſes aſſigned. *Lil.* 492.

Exception of two mortgages. *Ibid.* 560. 786.

Exception of a watercourſe in a leaſe. *Ibid.* 617.

Exception of a paſſage through the premiſes demiſed. *Ibid.* 630.

Exception of the preſentation (in leaſe) of a prebend. *Lil.* 634.

Exception of a parcel of land. *Ibid.* 786.

Exception of timber. *Ibid.* 786.

Exception of the remainder of terms of five hundred and one thouſand years. *Ibid.* 790.

EXECUTION.

Execution.

THE mode of executing deeds of conveyance of a plantation in Barbadoes, by a perſon empowered by a letter of attorney; and the letter of attorney. *Horſm.* 772.

EXCHANGE.

Exchange.

A TENANT for life of meſſuages, &c. and a tenant for life of manors, &c. having agreed to exchange during their joint lives; they by this deed mutually demiſe their reſpective eſtates for long terms, determinable on the death of either of them. *Horſm.* 372.

A deed of exchange of meſſuages, lands, &c. by leaſe and releaſe, *(well drawn).* 2 *Powis Wood*, 670. (*I. I. P.*)

A deed of mutual conveyances between two parties by way of exchange. 2 *Wms.* 892. (*B—*)

FEOFFMENT.

Feoffment.

FEOFFMENT of meſſuage and lands, part freehold and part copyhold, by four feoffors, two of whom are mortgagees, with proper covenants, &c. 1 *Bridgm.* 17.

Feoffment of a manor advowſon of rectory, parſonage impropriate, copyholds, &c. to a purchaſer. Covenant to levy a fine and ſuffer recovery thereof. Letter of attorney to deliver poſſeſſion, and ſome ſpecial covenants. 1 *Bridg.* 22.

Feoffment continued.

Feoffment of a house, &c. with a separate grant of the reversion; power of attorney to deliver possession; covenant to levy a fine and suffer recovery in *Wales*, (*well drawn.*) 1 *Bridg.* 263.

Feoffment by three vendors and their wives with letter of attorney. 1 *Bridgm.* 289.

Feoffment for raising portions for younger children by way of settlement, in pursuance of previous articles, with a trust, by way of power, to make leases, (*well drawn*). 2 *Bridg.* 76.

Feoffment by a husband and wife to a purchaser, (*a good deed*) 4 *Bridgm.* 461.

A deed of feoffment of lands, &c. to a purchaser. 2 *Pow. Wood*, 727. (*I. I. P.*)

A conveyance by feoffment. 2 *Wms.* 915.

A conveyance of freehold and leasehold premises, pursuant to an act of parliament, from the apothecaries company, to the mayor and commonalty, and citizens of the city of London, the leasehold premises by way of surrender, the freehold by feoffment. 4 *Wms.* 1498. (*Rivet*)

Fine.

FINE.

A FINE *sur render* levied 2 *Elizabeth*, (in *Latin*). 2 *Bridgm.* 553.

Grant.

GRANT.

Advowson.

GRANT of an advowson or right of presentation for a term of years, if grantee so long live, (*short*) 2 *Bridgm.* 181.

Grant of the next avoidance of a living. *Ll.* 611.

A grant of the next preſentation to a living. *Horſm.* 383.

A grant of the next avoidance of a rectory. 2 *Wms.* 920. (*Booth*)

Grant of an annuity during the life of the grantee, ſecured by demiſe and redemiſe of a manor, &c. for a term of ninety-nine years. *(A defect in the reddendum of the demiſe.)* 1 *Bridgm.* 43.

Grant of an annuity during the life of the grantor by way of proviſion for the ſon's wife, *(very conciſe)* 1 *Bridg.* 366. Annuity.

Grant of an annuity by deed-poll from the death of the grantor during the life of the grantee, *(very ſhort; no covenants)* 1 *Bridg.* 313.

Grant, by *ceſtui que truſt*, of an annuity or rent for years by way of ſettlement on a marriage. 2 *Bridgm.* 300.

Grant of an annuity for the life of the grantee, ſecured by South Sea annuities transferred to truſtees; a proviſion in caſe of their being redeemed by parliament; indemnity to the truſtees, &c. *(a good deed and well drawn)* *Horſm.* 12.

A grant of an annuity during the joint lives of the grantor and grantee, (free from taxes) to iſſue out of certain lands; and a demiſe of the ſame lands, for a long term, to truſtees, for the better ſecuring the payment. *Horſm.* 384.

A grant of an annuity for the life of the grantee, with a power to diſtrain on certain lands. A demiſe of thoſe lands, and an aſſignment of leaſehold intereſts to truſtees for the grantee, for the better payment of the annuity. An agreement that the grantor ſhall keep, and

Annuity *continued.*

on request, produce the counterparts of leases, *(full, and accurately drawn)* *Horsm.* 387.

Grant and conveyance of the reversion of an annuity or rent-charge. 1 *Wms.* 77. *(Rivet)*

Grant of an annuity for a term of years chargeable upon leasehold premises. 1 *Wms.* 85. *(Booth)*

Grant of an annuity during the life of the grantor, chargeable upon freehold estates. 1 *Wms.* 94. *(Duane and Mr. B.)*

Grant of an annuity by demise and redemise. 1 *Wms.* 112. *(T. W. W.)*

Grant of an annuity by a parish, in order to raise money to defray expences. 1 *Wms.* 119. *(Fogg)*

Grant of an annuity chargeable upon a freehold estate, with liberty for the grantor to repurchase on notice. 1 *Wms.* 125. *(T. W. W.)*

Grant of a rent-charge during the life of the grantee (a late grantor of the premises made a party), *nomine pœnæ*, power of distress, &c. 1 *Bridgm.* 77.

Rent-charge.

Grant of a rent-charge out of messuages, lands, &c. by tenant for years and the reversioner *(somewhat special, well and accurately drawn)* 1 *Bridgm.* 243.

Grant of four several rent-charges by a father to his children, with power of distress and *nomine pœnæ*, and a power of revocation. 2 *Bridgm.* 25.

Grant of a rent-charge by way of settlement on a marriage. *Lil.* 773.

Rents.

Grant of a rent by way of demise and redemise. 2 *Bridgm.* 389. 390.

A deed of grant, of fee-farm rents, to trus-

tees for a feme covert, to be at her ſeparate diſpoſal; being purchaſed with her ſeparate eſtate, by her huſband's conſent, who is one of her truſtees. *Horſm.* 391.

Grant from one copartner to the other, on retiring from buſineſs, of his ſhare of the copartnerſhip debts and effects. 2 *Wms.* 802. (*Duane*) Debts.

Grant of houſehold ſtuff and other goods upon truſt for huſband and wife, and the ſurvivor, (*ſhort, and without covenants*) 1 *Bridg.* 135. Goods, &c.

Deed of gift of goods and other perſonal property by deed-poll. 2 *Bridgm.* 43.

The like by indenture in truſt for payment of debts. *Ibid.* 44.

The like of plate and goods, and debts mentioned in a ſchedule, with power of attorney to receive the ſame, and an obligation to be forfeited if the deed revoked. *Ibid.* 28.

Grant, &c. of a conſiderable ſum of money by an aunt to her nephew, in conſideration of which he covenants to pay her an annuity during her life. *Horſm.* 378.

A grant of the ſtewardſhip of manors. Stewardſhip. *Horſm.* 383.

Grant, in a purchaſe deed, of writings relating to the eſtate, (*ſpecially worded; the vendor's having ſeveral intereſts.*) 1 *Bridgm.* 18. Writings.

LEASES.

Leaſes.

A leaſe of Thavies Inn; from the truſtees for Lincoln's Inn, to the principal and other truſtees for Thavies Inn. *Horſm.* 416. Inn of court

Demiſe or leaſe of a tenement for three lives with ſome ſpecial covenants. 1 *Bridgm.* 15. Meſſuages and lands (*for life.*)

Leaſe by huſband and wife for ſixty years if the wife's mother ſo long live, *(ſhort)*. 1 *Bridgm.* 164.

Leaſe of a houſe and lands for ſixty years if leſſor ſo long live, *(good uſual covenants)*. 1 *Bridgm.* 259.

(In truſt.) Leaſe for eighty years, if leſſor ſo long live, in truſt to attend the inheritance, *(ſhort)*. 1 *Bridgm.* 269.

Note, *The leſſor being tenant by the curteſy and about to purchaſe the inheritance, this leaſe was to preſerve the tenancy from drowning.*

Leaſe of lands for ſeven years, if leſſor ſo long live, in truſt to pay debts, comprized in a ſchedule, ſubjoined. 2 *Bridgm.* 310.

(For years.) A leaſe of a manor, &c. for the term of eight years, *(very ſhort, covenant for the title only)*. 1 *Bridgm.* 190.

Leaſe of farm and lands for eighty years at a rack rent, *(well drawn and many ſpecial covenants.)*. 1 *Bridgm.* 304.

Leaſe of a meſſuage and lands at a rack rent, *(a good precedent, with many ſpecial covenants)*. 1 *Bridgm.* 305.

A leaſe of a meſſuage and ſhop for years, with ſome ſpecial covenants. *Lil.* 616.

Another of a meſſuage, &c. for years, with ſome ſpecial covenants. *Ibid.* 620. *(both well drawn)*.

A leaſe of ſeveral meſſuages from *St. Thomas's Hoſpital*, with ſpecial covenants. *Lil.* 624.

Leaſe of part of a meſſuage to a guardian and truſtees. *Lil.* 780.

A leaſe for years, from one to one, of houſe and lands in the country; (*a great number of ſpecial covenants, exception of trees, &c.*) *Horſm.* 395. Meſſuages, &c. continued.

A leaſe from the father who is tenant for life, and the ſon who has the remainder in the inheritance, of a houſe, garden, &c. with proper covenants. A proviſo in favour of the tenant, for determining the term on notice. *Horſm.* 399.

A demiſe from one to one, of two different parcels, for terms with different commencements, but ending together. Reſervation of rent accordingly. A clauſe of ſurrender at a certain time. *Horſm.* 403.

A leaſe by father, tenant for life, and ſon, remainder-man of the inheritance, of a piece of garden-ground, to accommodate a tenant of a meſſuage, &c. Power given to incloſe. Proviſo for determining this leaſe along with the former. *Horſm.* 406.

A leaſe of a capital meſſuage in London, deſcribed by its rooms, &c. (*ſome ſpecial, beſides the uſual covenants*). *Horſm.* 407.

A leaſe of two houſes, lands, &c. Rent reſerved in money and cyder. Exception of timber-trees. The tenant covenants to preſerve them and fruit-trees. He is to have houſe-bote and plough-bote by aſſignment of the leſſor. He is to repair, (except in caſe of fire and tempeſt) and may pull down certain houſes, (*other ſpecial agreements.*) *Horſm.* 410.

A leaſe of land and houſes; ſome of which to be pulled down. The tenant to preſerve trees. Not to plough in the laſt three years. He may lop trees for plough-bote, &c. *Horſm.* 413.

Meſſuages, &c. continued.

A leaſe of ſtables, &c. and a covenant to fell to the leſſee on requeſt, for a certain ſum. *Horſm.* 417.

A leaſe of lands; with an increaſed rent for ploughing part. Allowance to plough other part for a certain time, with a view to a future leaſe to be taken; this being granted by a perſon who had a particular eſtate. *Horſm.* 419.

A leaſe of ground and houſes for a long term, from a tenant for life, and a perſon intitled to the reverſion, granted in conſequence of a former leaſe being deſtroyed by fire. 3 *Wms.* 933. *(Duane)*

A leaſe of lands from a tenant for life under a marriage-ſettlement. 3 *Wms.* 946. *(W. Fogg)*

A leaſe, from a leſſee for a long term, of a houſe and premiſes in London, determinable at the firſt ſeven or fourteen years. 3 *Wms.* 971.

(*For years in truſt.*) Leaſe for thirty-one years for payment of debts, out of rents and proceeds, covenant to ſurrender when truſt fulfilled, *(ſhort)*. 2 *Bridgm.* 54.

Leaſe of a manor, lordſhip, &c. upon truſt to raiſe a jointure. 2 *Bridgm.* 108.

The ſubſtance of a leaſe for years, to commence after the leſſor's death upon truſt to be diſpoſed of as he ſhall by deed or will appoint; a power of revocation on paying a ſum of money. 2 *Bridgm.* 398.

(*For building.*) A building leaſe. 3 *Wms.* 962. *(T. W. W.)*

Prebend (*for life*). A leaſe of a prebend for three lives; ſpecial clauſes. *Lil.* 633.

A leaſe for three lives from a prebendary; of a prebend, tithes, &c. with exception of a preſentation. An appointment of attorney to make livery of ſeiſin. *Horſm.* 401. — Meſſuages, &c. *continued.*

A leaſe of a prebend and tythes, *(ſhort)*. 1 *Bridgm.* 240. — Prebend tythes *(for years.)*

Leaſe of tithes, glebe lands, &c. belonging to a rectory; an additional rent reſerved for ploughing up meadow-ground. *Lil.* 627.

Leaſe of rectory and parſonage for fifteen years in truſt for payment of leſſor's debts, and maintenance of wife and children, *(a good covenant for truſtees to ſurrender in order to a renewal)*. 1 *Bridgm.* 316. — Rectory *(in truſt.)*

Leaſe of a tavern with many ſpecial proviſions. *Lil.* 629. — Tavern.

A leaſe for a year to precede a releaſe. 1 *Bridgm.* 279. 2 *Ibid.* 59. 139. 367. 370. — Leaſes to precede releaſe.

Leaſe for ſix months to enable the leſſors to grant releaſe, and convey on a marriage. 1 *Bridgm.* 108.

LETTERS OF ATTORNEY.

Letters of attorney.

LETTER of attorney empowering another to inſpect the accounts of a deputy in a public-office. *Lil.* 457. — Inſpect accounts.

Letter of attorney to ſettle accounts and differences, and to receive money. 2 *Wms.* 513. *(T. W. W.)* — Settle accounts.

Letter of attorney to be admitted to copyhold premiſes. 2 *Wms.* 517. *(T. W. W.)* — Admit to copyholds.

Letter of attorney to appear before commiſſioners of bankrupts in behalf of a credi- — Appear to commiſſion.

[illegible]; release, delay and [illegible]. *Lil.* 532.

Appoint guardian.

Letter of attorney by deed poll, from a minor to his mother, to constitute a guardian, and to manage his estates during his absence abroad, *(well drawn).* 1 *Bridgm.* 248.

Appoint receiver.

Letter of attorney appointing a receiver of an estate in mortgage; authority for him to cut underwoods; and agree for paying an increase of interest if mortgage-money be taxed. *Horsm.* 155.

Collect debts.

General letter of attorney by deed poll, from one to two to collect in debts, receive rents, commence and defend actions, &c. &c. *(concisely and well drawn).* 1 *Bridgm.* 51.

The like from two to two. 2 *Ibid.* 65.

Letter of attorney to receive debts due from a particular person. 2 *Bridgm.* 541.

Letter of attorney by a tradesman to two persons jointly and severally to get in debts, &c. *Horsm.* 157.

Letter of attorney, in deed of composition, empowering trustees to collect in debts and effects for the benefit of creditors. 2 *Pow. Wood,* 239.

Letter of attorney, in assignment of estate and effects, to recover the same. 2 *Wms.* 711. *Ibid.* 807.

To deliver seisin, &c.

Letter of attorney (in a deed of feoffment) to two jointly or severally to make livery. 1 *Bridgm.* 17. 292.

The like to one. *Ibid.* 28.

Letter of attorney (by deed poll) to late pos-

[redacted] 1 *Bridgm.* 260. 2 *Wms.* 23. 51.

The like to deliver poſſeſſion. 1 *Bridgm.* 263. 2 *Ibid.* 30. 50.

The like in a feoffment. 2 *Bridgm.* 269.

Letter of attorney (by deed poll) to make aſſignment of a leaſe. 1 *Bridgm.* 271.

The like to deliver the ſame. *Ibid.* 314.

Letter of attorney to enter upon lands and deliver an aſſignment thereof. 2 *Bridgm.* 88.

Letter of attorney from leſſor (in leaſe for lives) to give poſſeſſion. *Lil.* 636.

The like from leſſee to receive poſſeſſion. *Ibid.*

Power of attorney in a leaſe for lives to make livery of ſeiſin. *Horſm.* 403.

Letter of attorney in a deed of feoffment to deliver ſeiſin. 2 *Wms.* 911. *B——e.* 4 *Ibid.* 1509. *(Rivet)*

Power of attorney by deed poll, indorſed to execute a conveyance of plantations. *Horſm.* 772. Execute deeds.

Letter of attorney to execute a deed. 2 *Wms.* 501. *(Rivet)*

Letter of attorney (in a deed) to extend upon a ſtatute ſtaple. 1 *Bridg.* 89. 256. To extend.

A letter of attorney to ſurvey, manage, and let an eſtate, execute leaſes, receive rents, &c. And to appoint another attorney, *(well drawn.)* *Horſm.* 160. To manage eſtates.

Power of attorney from two truſtees of bank-ſtock under a will, to a co-truſtee to in- To purchaſe ſtock.

veſt dividends as received in the purchaſe of new ſtock. *Horſm.* 152.

To be proxy. A letter of proxy to ſerve in the Iriſh parliament. 2 *Bridgm.* 42.

Receive annuity. Letter of attorney from an aſſignor of exchequer annuities, to executor of the aſſignor, to receive ſame till default in payment of a private annuity for life, (*ſpecial recitals.*) *Horſm.* 150.

Receive compoſiton. Letter of attorney to receive a compoſition from an inſolvent perſon. 2 *Wms.* 507. (*T. W. W.*)

The like from an adminiſtratrix of a perſon inſolvent. *Ibid.* 509.

Receive dividends. Power of attorney from two to one, to receive dividends of South-Sea annuities. *Horſm.* 150.

Receive intereſt. Power of attorney by two ſurviving mortgagees to receive intereſt of mortgage-money, (*ſhort*). *Horſm.* 151.

Letter of attorney from a feme covert to her huſband to receive intereſt and profits of a reſiduary eſtate deviſed to her, (*ſhort*). *Horſm.* 162.

Receive legacy. Letter of attorney (in aſſignment of a legacy) from huſband and wife, and another aſſignor to the aſſignee, to recover the legacy aſſigned. *Horſm.* 52.

Power of attorney in an aſſignment to receive a legacy. 1 *Pow. Wood*, 810.

Letter of attorney to receive a legacy. 2 *Wms.* 522. (*Webb.*)

Receive money on bond. Letter of an attorney (in an aſſignment) of bonds to receive the monies due thereon;

with covenant not to revoke same. 1 *Bridgm.* 118. 120.

The like by a separate inſtrument. 2 *Ibid.* 117.

Letter of attorney in an aſſignment of bond and judgment to recover the money due thereon. 1 *Bridgm.* 315.

Letter of attorney in a mortgage to receive monies due on bond, &c. *Lil.* 664.

Letter of attorney to receive the pay of a troop of guards. 2 *Bridgm.* 166. Receive pay

Letter of attorney to two bankers to receive the purchaſe-money for an eſtate bought in purſuance of a will, and decree in chancery, *(ſhort)*. *Horſm.* 161. Receive purchaſe-money.

Power of attorney in aſſignment of half-pay for the aſſignee to receive the ſame of the pay-maſter of the forces. 1 *Pow. Wood*, 573.

The like to receive ſuch annuity of obligees of bond given as a collateral ſecurity. *Ibid.* 576.

Letter of attorney to receive rents, &c. *Lil.* 695. Receive rents.

Power of attorney to receive and recover the rents of an executrix, give diſcharges, &c. *Horſm.* 148.

Power of attorney from a feme covert in purſuance of a reſerved authority, to recover rents and give acquittance in the name of herſelf and her truſtee. *Ibid.* 149.

Letter of attorney appointing a receiver of an eſtate in mortgage, for ſecuring payment of intereſt, *(a good precedent)*. *Horſm.* 153.

Power of attorney (in a mortgage deed) from mortgagor and mortgagee, to a third perſon to receive rents, &c. to keep down intereſt and make other payment, *(a good precedent)*. *Horſm.* 158.

Letter of attorney from truſtees of an eſtate to the owner thereof, to receive rents, &c. and apply the money according to the truſts; with power to appoint other attornies. *Horſm.* 159.

Letter of attorney to receive rents, debts and dividends; and to demiſe premiſes. 2 *Wms.* 504. *(T. W. W.)*

To ſell effects. Letter of attorney from truſtees to diſpoſe of an inſolvent's ſtock in trade and collect debts. 2 *Wms.* 511. *(T. W. W.)*

Sell annuity. A letter of attorney to ſell an annuity, ſettle accounts and receive debts and other monies. 2 *Wms.* 514. *(T. W. W.)*

To ſue. Letter of attorney by indenture, to ſue the marſhal of the king's bench priſon upon an eſcape. 1 *Bridgm.* 249.

Surrender copyholds. A letter of attorney from tenant of a manor, to two, to ſurrender copyhold to the uſe of a purchaſer. *Horſm.* 280.

Letter of licence.

LETTERS OF LICENCE.

A LETTER of licence for a chaplain to hold two benefices, *(Latin)*. 2 *Bridgm.* 182.

Letter of licence, in a compoſition deed, to a creditor till a given day, he obſerving in all reſpects the covenants, &c. in ſuch deed contained. 2 *Pow. Wood;* 242.

A licence from creditors (in a deed of compoſition) to permit the debtor to diſpoſe of his effects. 2 *Wms.* 722.

LIMITATIONS.

Limitation.

LIMITATIONS to cognizees for 200 years. 1 *Bridgm.* 126.

To one cognizee for life. *Ibid.*

To an eldeſt ſon by name in tail male. 1 *Bridg.* 126, 276.

To the ſecond and other ſons in like manner. *Ibid.* 276.

To a wife if enſient till delivered, in truſt for the child. 1 *Bridgm.* 153. 212. 2 *Ibid.* 104.

To truſtees in the like caſe for like purpoſe. 1 *Bridgm.* 301. *Lil.* 757.

To an after born ſon in tail-male. 1 *Bridgm.* 126.

To brothers in tail male. 1 *Bridgm.* 126.

To the heirs of the body of a cognizor. *Ibid.*

To the right heirs of a father in fee. 1 *Bridgm.* 126.

To the huſband in fee as to part of premiſes. 1 *Bridgm.* 150. *Lil.* 757.

To wife, of an annuity if ſhe ſurvive her huſband. 1 *Bridgm.* 1.

To the firſt ſon of the huſband by the intended wife in tail male. 1 *Bridgm.* 85. 2 *Ibid.* 96. 152. *Lil.* 715. 756.

Limitation to the ſecond and other ſons of

the husband by the intended wife in tail male. 1 *Bridgm.* 152. 2 *Ibid.* 96.

To the husband for life. 1 *Bridgm.* 150. *Lil.* 754.

To trustees for life of the husband in trust to preserve, &c. 1 *Bridgm.* 85. *Lil* 761. 714.

To one trustee for a like purpose.

To the wife for jointure. 1 *Bridgm:* 85. 210. *Lil.* 754. 714.

To the right heirs of the husband in fee. 1 *Bridgm.*

To the heirs of the husband in tail male. 1 *Bridgm.* 153.

To a brother for life. *Ibid.*

To the first and other sons of a brother in tail-male. *Ibid.*

To a wife for increase of jointure. *Ibid.* 175.

To husband for ninety-nine years. *Ibid.* 210.

To the first and other sons of the husband by his then wife in tail general. *Ibid.* 210.

To the first and other sons of the husband by any future wife in tail general. *Ibid.* 210. 211. *Lil.* 722.

Limitation of a jointure to a wife after marriage by deed-poll, *(short, and without covenants)* 1 *Bridgm.* 191.

Limitation to daughters of the husband by his then wife in tail general. 1 *Bridg.* 211, 212.

Limitation to the daughters of the husband by any future wife in tail general. *Ibid.*

Limitation to the wife's appointment, if she survive her husband. 1 *Bridgm.* 212.

The like though she die first, and though a minor. *Ibid.* 213.

Limitation to the husband's appointment. 1 *Bridgm.* 213. 2 *Ibid.* 105. 395.

Limitation of stock to the husband till marriage. *Lil.* 745.

Limitation to the wife till marriage. *Ibid.*

Limitation to the husband for life. *Lil.* 746.

Limitation to the wife for life, if she survive her husband. *Ibid.* 747.

Limitation to children in such proportions as husband shall appoint. *Ibid.* 747.

Limitation to children to be equally divided amongst them. *Ibid.* 747.

Limitations to the grantor for life. 2 *Bridg.* 96.

Limitations to daughters of the grantor's heir in tail general. *Ibid.* 97.

To the grantor's own daughters in tail male. 2 *Bridgm.* 97.

Limitations to the grantor's sisters. *Ibid.*

Limitations to such persons to whom the grantor shall make leases thereof. *Ibid.* 106.

Limitations of a term to the use of husband and wife and children successively. *Ibid.* 478.

Limitations to the grantor's appointment for twenty-one years. 2 *Ibid.* 394.

Limitations to the husband's father for life. 2 *Bridgm.* 230. 240.

Limitations to the husband's father in tail male. *Ibid.* 241.

Limitations to the first son of the husband's

father by name in tail male, and upon his other sons in like manner. *Ibid.* 230.

Limitations to the brother of the husband in tail male. 2 *Bridgm.* 241.

Limitations of pin-money to the wife. *Ibid.* 248. 277.

Limitations to the husband's uncle for life. *Ibid.* 258.

Limitation of a rent-charge to the husband. *Ibid.* 270.

A variety of limitations in settlement by private act of parliament passed in contemplation of marriage, for the purpose of raising the intended wife's portion, &c. &c. (*very specially and accurately drawn*) *Lil.* 698.

Limitations to prevent dower: so framed as to enable the purchaser to make a valid conveyance without the interposition of his trustee. 3 *Pow. Wood.* 229. (*I. I. P.*)

Note. *Observations annexed relative to the different modes of barring dower, and the principles on which they depend.* (*Of which see also title* RELEASE.)

Limitation of a real estate by way of cross-remainders between daughters. 3 *Pow. Wood*, 321.

Limitation by way of cross-remainders of the trust of money in the funds, subject to the appointment of the parents. 3 *Pow. Wood*, 321.

Limitation of trusts of money, with various contingent dispositions between daughters, and not to be subject to the controul of their husbands. *Ibid.* 323.

Shifting limitations, in case the *cestui que use* should not take the name of the settler or

should acquire other estates. 3 *Pow. Mod.* 325.

LIVERY AND SEISIN.

Livery and Seisin.

MEMORANDUMS of livery of seisin indorsed on the feoffment. 2 *Bridgm.* 52. 53. 186. 466.

See LETTER OF ATTORNEY.

MEMORIALS.

Memorial.

A memorial of a purchase to be registered in Middlesex. *Horsm.* 821.

A memorial of a conveyance of lands in Ireland, to be registered there. *Horsm.* 822.

Memorials of will of lands in Middlesex. *Horsm.* 821. 822.

A memorial of a will of lands in Ireland, to be registred there. *Horsm.* 823.

A memorial of an annuity under 17 Geo. III. c. 26. *(with an abstract of the act subjoined).* 3 *Pow. Mod.* 832.

MORTGAGES.

Mortgage.

MORTGAGE in fee by husband and wife of a moiety of manors, lands, &c. of the wife; covenant to levy a fine and other special covenants *(a good precedent).* 1 *Bridgm.* 98. By grant in fee.

Note. *Separate grant of reversions, &c.*

Mortgage in fee by grant and release; covenant to levy a fine, and other special covenants *(well drawn).* *Lil.* 549. 647.

A mortgage in fee, by release, and assignment by a trustee of terms to attend the inheritance, to a trustee for the mortgagee. Inte-

By grant *continued.* reſt at 4l. 10s. *per cent.* if paid within a ſhort day. *Horſm.* 728.

A mortgage in fee of manors, &c. a rectory impropriate, glebe lands, tithes, &c. which were before mortgaged in fee. In this deed the mortgagor and former mortgagee join; and the mortgagor receives a further ſum of money. Policies of aſſurance aſſigned. *Horſm.* 733.

A mortgage in fee, by a mortgagor and his truſtee. There are alſo three long terms ſtanding out in a truſtee for the mortgagor; who, by direction of the mortgagor, covenants to ſtand poſſeſſed in the firſt place in truſt for better ſecurity. *Horſm.* 738.

A mortgage in fee of an inheritance, by the mortgagor and his truſtee: and an aſſignment of leaſeholds for ſecuring the ſame ſum; and an agreement that a term of the mortgagor ſhall continue in a truſtee, in truſt for the mortgagee to better his ſecurity. *(good covenants.) Horſm.* 744.

A mortgage in fee from one to one, by leaſe, releaſe and fine; this being the releaſe, and containing a covenant to levy fines to bar intails. Exception of a jointure for life on part of the mortgaged premiſes. *Horſm.* 749.

A mortgage in fee by father and ſon, of a manor, advowſon, &c. (exception as to parcels, and as to certain mortgage terms which are now by another deed aſſigned in truſt for the mortgagee.) The father, having a power by his marriage-ſettlement to appoint portions for younger children, covenants that he will not appoint them in prejudice of this ſecurity. The mortgagee covenants to accept leſs than lawful intereſt on early payment, and not otherwiſe. *Horſm.* 752.

A mortgage in fee, to two former mortgagees in fee: one of them being a truſtee for the other. This is by releaſe of the former equity of redemption, and a confirmation of their eſtate, ſubject to a new proviſo &c. for redemption, on payment of the now conſideration money, *viz.* the former and an additional ſum. *Horſm.* 758.

A mortgage in fee of a plantation in Tobago. 3 *Wms.* 1053. (*Duane*)

Mortgage of a plantation in the Weſt-Indies, with very ſpecial covenants relative to poſtponing prior mortgages. 3 *Pow. Wood*, 374.

A mortgage from the tenants for life, and a perſon intitled in reverſion under a marriage-ſettlement. 3 *Wms.* 1084. (*Wm. Rivet*)

A mortgage of lands by a tenant for life in poſſeſſion, for ſecuring an annuity. 3 *Wms.* 1096. (*Rivet*)

A mortgage in fee, with a proviſo for reducing the intereſt, if paid within a limited time. 3 *Wms.* 1109. (*Wilbraham.*)

Mortgage by demiſe of land for 500 years, (*good uſual, and many ſpecial covenants*). 1 *Bridgm.* 34. By demiſe for years.

The like of manor park, advowſon, &c. with covenant to levy a fine. *Ibid.* 39.

The like of houſes. *Ibid.* 63.

Note. *No reddendum to either of theſe laſt.*

Mortgage of meſſuages, &c. by demiſe for 500 years. 1 *Bridgm.* 96.

Mortgage by huſband and wife of annuities under a marriage ſettlement, and of the lands out of which the ſame iſſue, (the mortgage by

By demiſe *continued.* leaſe for 500 years, and fine *(no recital)*. 1 *Bridgm.* 195.

Mortgage of meſſuage and lands, by demiſe for 200 years, ſpecial covenants for payment of the mortgage-money, parties joining have various intereſts. 1 *Bridgm.* 226.

Mortgage of a manor by demiſe for 1000 years, and re-demiſe for 999. 1 *Bridgm.* 103.

Mortgage by demiſe for 500 years of a manor, &c. (truſtee under a ſettlement, and an annuitant join, and the annuity releaſed). 1 *Bridgm.* 192.

Mortgage of lands, &c. for 500 years, with proper covenants. 1 *Bridgm.* 272.

Bargain and ſale by way of mortgage of the fourth part of a farm, &c. for a term of 500 years. *Lil.* 553.

A mortgage from one to one, by a demiſe of houſes, &c. for years. *Horſm.* 726.

A mortgage by demiſe from father and ſon, with exception of an annuity charged on the lands. *Horſm.* 741.

A mortgage by demiſe; by a father, to ſecure his daughter's portion, which by marriage-articles is to be applied to certain uſes. Agreement that he ſhall not be bound to ſee to the application. *Horſm.* 760.

A mortgage of leaſehold premiſes together with a bond entered into by the leſſor for ſecuring to the mortgagor the poſſeſſion. *(a good precedent).* 3 *Wms.* 1027.

Note. *An opinion annexed as to the impropriety of inſerting covenants in mortgages for converting the intereſt into principal.*

A mortgage of a freehold eſtate by demiſe. 3 *Wms.* 1073. *(T. W. W.)*

A further mortgage, by indorſement, for ſecuring a further ſum advanced. 3 *Wms.* 1082.

By limitation.

A mortgage by limitation for a term of years, out of the fee; by releaſe and fine. 3 *Pow. Wood, (I. I. P.)*

By aſſignment.

Mortgages by aſſignments of college leaſes. 1 *Bridgm.* 870.

Mortgage by common aſſignment of meſſuages and other premiſes. *Lil.* 637.

Aſſignment of a meſſuage, debts, and judgments by way of mortgage; letter of attorney. *Lil.* 662.

Aſſignment of leaſe to a man and his wife by way of mortgage, *(well drawn). Lil.* 665.

Aſſignment by way of mortgage, of a leaſehold of the city of London. *Lil.* 673.

Aſſignment of a term of years, in truſt, by way of mortgage. *Lil.* 640.

Aſſignment of leaſe and demiſe of rectory by way of mortgage. Mortgagor to enjoy the leaſe till breach of the proviſo, but mortgagee to enjoy the demiſe. *Lil.* 653.

Aſſignment of a leaſe by way of mortgage, by the adminiſtrator of a legatee, with the conſent of the executor. *Lil.* 650.

Aſſignment, in the nature of a mortgage, of the tenth part of an engine and patent for a new invention; and alſo of a leaſe. *(ſpecial). Lil.* 484.

Partition.

PARTITION.

A partition by deed of covenants between tenants in common, with ſpecial covenants with each other relative to incumbrances, quiet enjoyment, &c. 2 *Bridgm.* 471.

A deed of partition by leaſe and releaſe in purſuance of a decree of the Court of Chancery in that behalf; with covenant to levy a fine and ſuffer recovery of part of the premiſes. 2 *Bridgm.* 502.

A deed of partition between tenants in common, (*viz.* a feme ſole ſeiſed in fee of a moiety, and another feme ſole tenant for life of the other moiety, remainder to her ſon in fee) they grant and releaſe to another; as to part, to the uſe of the firſt party in fee; as to the reſidue, to the mother for life, remainder to the ſon in fee. A ſum of money is paid for equality of partition. *Horſm.* 764.

A deed of partition of leaſehold premiſes. by mutual releaſes. 3 *Wms.* 1140. (*B. Filmer.*)

Petition.

PETITION.

A petition to chancery, that an infant truſtee may join in a conveyance purſuant to the ſtatute. *Horſm.* 767.

Power.

POWERS.

To appoint.

PROVISO empowering ſurviving truſtee to appoint a co-truſtee and convey to him the truſts, &c. 1 *Pow. Wood.* 510.

Power in a ſettlement enabling truſtees to diſtrain. 2 *Bridgm.* 9. 112.

Power in a deed of declaration of the uſes of a recovery, enabling perſons for the time being, entitled to ſeveral rent charges to diſtrein for the ſame. 2 *Bridgm.* 35.

To charge. Proviſo in a ſettlement-deed, authorizing the ſettler to charge the lands with annuities in certain events. 1 *Bridgm.* 131.

To grant. Proviſo in ſettlement that wife ſhall have power to grant, limit, deviſe, &c. notwithſtanding coverture. 1 *Bridgm.* 117.

Make jointure. Power to enable huſband to make a jointure for any future wife. 1 *Bridgm.* 128.

The like, with an alternative of raiſing an annuity for ſuch wife. *Ibid.* 216. 217.

Power for a remainder-man to make a jointure when in poſſeſſion. 1 *Bridgm.* 158.

A power in a ſettlement authorizing the huſband to raiſe annuities by way of jointure out of his life eſtate. 1 *Bridgm.* 217.

Power in a ſettlement for truſtees to limit a jointure when in poſſeſſion. 2 *Bridgm.* 14.

Power for *ceſtui que uſes*, to limit jointures as they come into poſſeſſion. 2 *Bridgm.* 16. 99.

Power to make jointure for the wife and herſelf. 2 *Bridgm.* 97.

Power for huſband to make a jointure for a future wife. 2 *Bridgm.* 178.

To grant leaſes. Proviſo (in a deed to levy a fine) empowering the *ceſtui que uſe*, during ſix months, to grant annuities for lives of the premiſes. 1 *Bridgm.* 68.

Proviſo in a ſettlement empowering ſettler to let leaſes for twenty-one years or three lives

Leases continued.

with the consent of trustees. 2 *Bridgm.* 129.

The like, without such consent. *Ibid.* 130. 158. 177. 278.

The like with an exception of jointure lands, in leases in which the wife shall join. *Ibid.* 216.

Proviso in marriage settlement, empowering husband to make leases. 1 *Bridgm.* 158.

The like of a remainder-man when in possession. *Ibid.*

Proviso in marriage settlement, empowering husband to make leases of lands not in jointure, and husband and wife of the jointure lands. 1 *Bridgm.* 216.

Powers in deeds of settlement of estates for *cestui que uses* to grant leases when they come into possession. 2 *Bridgm.* 12, 13, 14, 15, 16. 100. 118. 138. 396. 470.

Proviso to make leases for any number of years in possession. 2 *Bridgm.* 12.

The like for twenty-one years, or three leases. *Ibid.* 13. 470.

Power to make leases by attorney. 2 *Bridgm.* 98.

Power for husband and wife to make leases, the wife joining therein. 2 *Bridgm.* 176.

Power to make leases and jointure, revoke, &c. *Ibid.* 178.

Power for leasing premises for twenty-one years. *Ibid.* 779.

A proviso empowering a tenant in possession to make leases, (*specially drawn*). 3 *Pow. Wood.* 459.

Article proviso for the letting on building leases. *Ibid.* 460.

Power in a settlement for husband to make leases during the joint lives of himself and wife, and for her after his decease. 3 *Pow. Wood*, 643.

Power of re entry upon demised premises on special circumstances. *Lil.* 606. Re-entry.

Proviso enabling cognizees to revoke uses with consent of one or more cognizors; such power not to extend to uses already executed. 1 *Bridgm.* 130. Revocation

Proviso authorizing husband to revoke trusts with the consent of his wife. 1 *Bridgm.* 143.

Proviso for revoking uses declared in a deed, at pleasure. 3 *Pow. Wood*, 456.

The like, with power to declare new uses. *Ibid.*

Power to revoke the uses of settled estates, with the consent of a father and an uncle, in order to sell the same and purchase other lands to be settled to like uses. 3 *Pow. Wood*, 645.

Power to revoke and alter childrens portions. 2 *Bridgm.* 56. 580.

Power in a will for trustees to alter bequests to children. 2 *Bridgm.* 156.

Power to decide controversies relative to the will. 2 *Bridg.* 157.

Power to make allowances to servants. 2 *Bridgm.* 157.

Proviso in a trust assignment, empowering the assignor to revoke the deed on tendering 6d. to the trustees. 1 *Bridgm.* 203.

Proviſo empowering the grantor to make void the deed. 2 *Bridgm.* 27. 394.

A power of revocation in a deed, 2 *Bridgm.* 103. 382. 397. 478. *(the firſt ſpecially drawn).*

The like by ſeparate deed. *Ibid.* 381.

Transfer truſts. Proviſo in a deed of compoſition with creditors for changing the truſtees, and transferring the truſt eſtate to the new truſtees. 2 *Pow. Wood*, 242.

Tranſpoſe uſes. Proviſo empowering the huſband to tranſpoſe, &c. the uſes of the ſettlement from one ſon to another but to none others. 1 *Bridgm.* 304.

See PROVISOES.

Preſentation

PRESENTATION.

PRESENTATION to a living during the life of the patron. *(Latin).* 2 *Bridgm.* 180.

Proviſoes.

PROVISOES.

As to creditors. PROVISOES in deed of diſtribution that creditors not proving their debts within a ſpecific period ſhall be excluded from the ſhare of bankrupts effects. *Lil.* 531.

And that ſuch ſhare ſhall be diſtributed amongſt the other creditors. *Ibid.*

Proviſo that if the major part of creditors agree to ſtop proceedings in ſuits for recovery of debts, ſuch ſuits ſhall be ſtayed or elſe carried on at the ſole expence of the perſiſting creditors. *Lil.* 603.

Proviſo in deed of compoſition to diſcharge the debtor from his debts and execute releaſes

if all the creditors to ſuch an amount come in. 2 *Pow. Wood.* 241.

Proviſo in a deed of compoſition with creditors that they ſhall make oath of their reſpective debts. 2 *Pow. Wood,* 241.

Proviſo that if an aſſignee of debts, &c. receive more than the ſum owing to him he ſhall account for the ſurplus. *Lil.* 665.

Proviſo in ſettlement that if wife claim dower the truſt ſhall be void. 1 *Bridgm.* 111. Dower.

Proviſo in a ſettlement after marriage, that her jointure ſhall ceaſe on her claiming dower. 1 *Bridgm.* 111. Jointure.

Proviſo in ſettlement of jointure, annexing a penalty per acre of paſture land which the jointreſs ſhall break up. 1 *Bridgm.* 300.

Proviſo that no portions ſhall be raiſed for children provided for in the fathers life time. 1 *Bridgm.* 139, unleſs ſuch proviſion be leſs than they are entitled to. *Ibid.* 156. Portions.

Proviſo for raiſing portions for daughters if no ſon and father ſhould marry again but not otherwiſe. 1 *Bridgm.* 302.

Proviſo in marriage ſettlement for raiſing portions for daughters on failure of male iſſue. 1 *Bridgm.* 331.

Poviſo that purchaſer ſhall quit and deliver up the premiſes in caſe he do not pay the purchaſe-money on the days appointed. 1 *Bridgm.* 297. Purchaſer.

Proviſo that vendor ſhall receive the rents of premiſes aſſigned to protect a purchaſer, until ſuch purchaſer be affected. 1 *Lil.* 469.

Proviſo enabling a vendee to retain a reſerved fee farm rent, if a certain other fee

farm charged thereon be not duly paid by the vendor. 1 *Bridgm.* 282.

Proviſo to indemnify purchaſers who ſhall pay money to truſtees for a payment of debts. *Lil.* 559.

That the premiſes charged are ſubject to the payment of a rent-charge to a pariſh. *Ibid.* 574.

Truſtees. Proviſo in a propoſed ſettlement, that truſtees will defray the expences of ſuits commenced againſt the intended wife before her marriage. 1 *Bridgm.* 129.

Proviſo that the receipt of truſtees on the ſale of eſtates, ſhall be a good diſcharge to purchaſers and mortgagees. 3 *Pow. Wood.* 458.

Proviſo in a ſettlement, that truſtees on the ſale of an eſtate ſhall be anſwerable for ſuch ſums only as may come to their hands reſpectively. 3 *Pow. Wood*, 458.

Note. *Obſervations on the effect of this proviſo annexed.*

Proviſo that truſtees ſhall not be anſwerable for each others default. 1 *Pow. Wood*, 511.

Proviſo in a ſettlement that truſtees ſhall be paid their expences and ſhall not be anſwerable for each others acts. 3 *Pow. Wood*, 644.

Proviſo for truſtees in a ſettlement to execute ſuch eſtates as the wife ſhall appoint. 1 *Bridgm.* 133.

Repairs. Proviſo in a leaſe that leſſee ſhall have rough timber for repairs. *Lil.* 636.

Remainders. Proviſo for preſerving contingent remainders in caſe the limitations ſhould be ſhifted

in purſuance of proviſions contained in the ſettlement. 3 *Pow. Wood*, 396.

Proviſo that deed ſhall be void if grantee ſecured againſt certain recognizances. 1 *Bridg.* 144. Vacate deeds, &c.

Proviſo to vacate a deed if conditions not performed. 1 *Bridgm.* 298.

Proviſo (in a demiſe for indemnity) that deed ſhall be void, if truſtees under a will be ſaved harmleſs for paying over ſurplus monies during an infants minority. 1 *Bridgm.* 358.

Proviſo for making void a deed if certain ſums of money are not paid as thereby ſtipulated, (*obſervations ſubjoined on the effect of an independent proviſo*). 3 *Pow. Wood.* 457.

Proviſo to make void an aſſignment of a patent on payment of certain ſums of money. *Lil.* 487.

Proviſo to vacate an aſſignment of premiſes made to protect a purchaſer of other premiſes from incumbrances. *Lil.* 469.

Proviſo in deed of compoſition, that the ſame ſhall be void if the creditors refuſe to come. 2 *Pow. Wood.* 241.

Proviſo in a deed of compoſition and releaſe to vacate the ſame if the terms thereof are not complied with. 2 *Wms.* 725.

Proviſo for making void a jointure on the wife's claiming dower. 1 *Brigdm.* 111.

Proviſo to make void limitations on a lady's marrying without conſent. 2 *Bridgm.* 8.

Proviſo that unleſs *ceſtui que uſe* take the coat of arms and name of the ſettler, the limitations ſhall go over. 2 *Bridgm.* 8. 16.

Proviſo in a ſettlement for annulling limitations if *ceſtui que uſe* refuſe to take the name and arms of the ſettler, (*well drawn*). 3 *Pow. Wood*, 325.

Proviſo for ſhifting limitations if the *ceſtui que uſe* ſhould acquire another eſtate of a certain yearly value, (*well drawn*). 3 *Pow. Wood*, 326.

Good proviſo for annulling mortgage-deed on payment of principal on a day certain and intereſt in the mean time. 1 *Bridgm.* 272.

Proviſo (in a redemiſe for ſecuring an annuity) that after leſſor's death the rent and former demiſe ſhall ceaſe, his executors, &c. ſurrender their intereſt, and deliver up counterpart of the ſecurities. 1 *Bridgm.* 47.

Indorſement controling and qualifying proviſoes in a deed. *Lil.* 687.

Waſte. Proviſo that a perſon ſhall not commit waſte while in poſſeſſion of an eſtate. 1 *Bridgm.* 298.

See COVENANTS, POWERS.

Receipt.

RECEIPT.

A receipt for writings. *Lil.* 739.

Recital.

RECITALS.

Acts of parliament. RECITALS of acts of parliament: *Horſm.* 100. 166. 286. 632. 830. 845. 891. 977.

Recital of a defect in an act of parliament. *Horſm.* 286.

Adminiſtration. Recital of adminiſtration obtained from a biſhop of London's court. *Lil.* 650.

Agreement Recital of articles of agreement between a truſtee and his deputy. *Lil.* 457.

Recital of an agreement for purchaſes under various circumſtances. *Horſm.* 169. 774. 862. 921. 929. 1118.

Recital of an agreement for purchaſe of annuities. *Horſm.* 380.

Of an agreement for the application of portions. *Ibid.* 43.

That grantor is to keep the counterparts of leaſes. *Ibid.* 391.

Recital of agreement to make partition. *Horſm.* 764.

Of agreement to indemnify purchaſer from the arrears of an annuity. *Ibid.* 800.

Annuity.

Of an annuity-order out of the exchequer. *Lil.* 474.

Appointment.

Recital of an appointment to a deputyſhip of a regiſtry. *Lil.* 471.

Recital in a deed of appointment, of a power of ſale and exchange contained in a ſettlement. 1 *Pow. Wood*, 500.

Aſſignment

Recital of the aſſignment of an exchequer annuity. *Lil.* 475. 476.

Of leaſes and aſſignments being veſted in executors. *Ibid.* 479.

Recital of the aſſignment of the ſhare of a patent. *Ibid.* 485.

Recital of the aſſignment of meſſuages erected in the room of others burnt down. *Lil.* 490.

Of an aſſignment of a mortgage by indorſement. *Ibid.* 517.

Recital of the aſſignment of a term for the benefit of creditors. *Lil.* 519.

Recital of the assignment of a ship and cargo for payment of debts. *Ibid.* 598.

Recital of the assignment of an equity of redemption. *Lil.* 662.

Recital of the assignment of such assignment. *Ibid.*

Recital of the assignment of two renters shares in a theatre. 2 *Pow. Wood*, 608.

Bargain and sale. Recital of bargain and sale, covenant to suffer a recovery, &c. (*very full*). 1 *Bridgm.* 171.

Recital in release of the bargain and sale for a year. 2 *Bridgm.* 110.

Bonds, &c. Recital of a bond. *Lil.* 647.

Recital of bonds, and of judgments obtained thereon. 1 *Bridgm.* 315. *Lil.* 606. 649.

Recitals of several statutes and judgments. *Lil.* 468.

Buildings. Recital of new erected buildings. *Lil.* 495.

Commission of bankrupt. Recital of a commission of bankruptcy having been awarded against several persons. *Lil.* 518.

The like with the subsequent proceedings under the commission. *Ibid.* 520. 524. 528.

Controversies. Recital that controversies being likely to arise relative to a father's will, the elder brother agrees to pay the other certain sums in lieu of claims. *Horsm.* 832.

Covenant. Recital of a deed of covenant to levy a fine. 1 *Bridgm.* 1. 206.

[illegible] *Lil.* 604. Debts.

Recitals of debts owing at the time of a person's death. *Lil.* 398.

Of a decree made by commissioners for charitable uses. 1 *Bridgm.* 241. Decree.

Recital of a decree in chancery, ordering an account to be taken of the proceedings of a voyage. *Lil.* 597.

Recital (in a mortgage) of a decree ordering the master to examine securities on behalf of an infant; and the masters opinion thereon. *Lil.* 677.

Recital of a decree in chancery. 3 *Pow. Wood*, 479.

Recitals of a decree and other proceedings in a suit in chancery. 3 *Pow. Wood*, 416.

Recital of deputations for various purposes. *Lil.* 457. 465. 598. Deputation.

Recitals relative to the distribution of bankrupt's effects. *Lil.* 530. Distribution.

Recital of the expendure of money in building. *Lil.* 491. Expenditure.

Recital of a fine levied, (*uses set forth at length*). 2 *Bridgm.* 2. Fine.

Of a grant by the king to the assignor's grandfather. 1 *Bridgm.* 80. Grant.

Recital of a grant of the office of surveyor of the customs from the crown. *Lil.* 464.

Recital of an invoice. *Lil.* 597. Invoice.

Recital of a lease for a year in a release. 1 *Bridgm.* 148. Lease.

Recital of common lease for years. 2 *Bridgm.* 123.

Leaſes *continued.*

Recital of a leaſe of a ſcite of grounds made by a rector and churchwardens. *Lil.* 495.

The like of a leaſe of ſeveral meſſuages erected in the room of others burnt down. *Ibid.* 489.

Letters patent.

Recital of letters patent. *Lil.* 457.

Of letters patent for the erection of a parish church and ſchool. 1 *Bridgm.* 240.

Recital of a patent for the invention of an engine, *(well penned). Lil.* 484.

Of patentee having divided his right into ſeveral ſhares. *Ibid.*

Marriage.

Of the marriage of a female deviſee whereby the huſband became intitled on the death of a teſtator to leaſehold premiſes and took poſſeſſion accordingly. *Lil.* 567.

Mortgage.

Recital of a mortgage. *Lil.* 516.

Recital of a mortgage (by aſſignment) of the 12th part of quit-rents and other premiſes, left by will. *Lil.* 566.

Recognizance.

Recital of a recognizance. 1 *Bridgm.* 313.

Recovery.

Of a recovery ſuffered. 2 *Bridgm.* 2.

Note. *The general uſes ſet out at length.*

Releaſe.

Recital of a releaſe or diſcharge of premiſes from part of a jointure ſecured thereon. *Lil.* 491.

Revocation

That revocation of uſes, &c. in a ſettlement, had been made. 1 *Pow. Wood,* 501.

In marriage ſettlements.

That huſband ſhould transfer South-Sea annuities to truſtees by inſtalments, &c. *Horſm.* 465.

That huſband ſhould receive mortgage-money in part of wife's portion. *Ibid.* 477.

Recital that a perſon is jointly poſſeſſed of a ſhip and cargo. *Lil.* 596. In ſettlements *continued.*

That wife ſhall have things mentioned in a ſchedule, together with other matters for her ſeparate uſe. *Horſm.* 483.

That wife ſhould have a certain ſum for pin-money, and in bar of dower. *Ibid.* 632.

That huſband ſhall ſettle freehold of inheritance and leaſehold for lives; and of transferring South-Sea ſtock and annuities. *Horſm.* 643.

That huſband will buy wife an annuity by way of pin-money. *Ibid.* 681.

Recital of agreement, that wife may diſpoſe of her jewels to her children. *Horſm.* 685.

Of various agreements relative to the ſettlement of different ſpecies of property on a marriage. *Ibid.* 691. 704.

That wife ſhall enjoy and diſpoſe of the rents of her lands, and her perſonal property. *Horſm.* 722.

Recital of a marriage-ſettlement, in a deed of appointment. 1 *Pow. Wood*, 498.

Recital of ſuits ſubſiſting relative to a ſhip and cargo. *Lil.* 597. Suits.

Of ſurrender of copyholds. 1 *Bridgm.* 135. Surrender.

Recital of a truſt. *Lil.* 465. Truſt.

Recital of a deed of uſes. *Ibid.* 792. Uſes.

Recital of a will by which premiſes were deviſed for a term of years for raiſing daughters portions and payment of debts. *Lil.* 491. Wills.

Recital of a deviſe of quit-rents and other premiſes to twelve children. *Lil.* 566.

Recital of a will, and of the ſame having been duly proved by the executors. *Ibid.* 507.

Re-conveyance.

RE-CONVEYANCE.

A RE-CONVEYANCE of mortgaged premiſes, by leaſe and releaſe, from the heir of the mortgagee, his deviſees and adminiſtrators. 4 *Wms.* 1455.

Re-aſſignment of leaſehold premiſes by indorſement on the deed of aſſignment (this deed made to fill up the number of truſtees). *Horſm.* 203.

A deed of releaſe and reconveyance of an eſtate to be in its former plight, upon ſpecial circumſtances; an elder brother having before obtained by ſurprize a releaſe from the younger children, of certain claims real and perſonal which they had thereon: this deed is contrived to defeat that releaſe, and prevent a ſuit in equity. *Horſm.* 830.

A releaſe and reconveyance of freeholds and copyholds, by the ſurviving aſſignee under a commiſſion of bankruptcy, to the bankrupt; his creditors having diſcharged him. Special recitals of marriage-ſettlements, the commiſſion, &c. *Horſm.* 967.

Releaſe.

RELEASES.

A RELEASE of an action for an aſſault and battery, *(ſhort)*. 2 *Bridgm.* 180.

Annuity. Releaſe of an annuity in a mortgage-deed. 1 *Bridgm.* 194.

A releaſe of arrears of an annuity, indorſed on back of a deed by which the releaſor is entitled. *Horſm.* 45.

Releaſe of aſſignment to copyholds, *(ſhort)*. 2 *Bridgm.* 369. Aſſignment

A mutual releaſe (in a diſſolution of copartnerſhip) between partners. 2 *Wms.* 716. Copartnerſhip.

A releaſe of debts from creditors to a debtor in a deed of compoſition. 2 *Wms.* 723. Debts.

Releaſe of money due on a bond which ſhould be delivered up but is loſt. *Horſm.* 2.

A releaſe of monies charged upon a freehold eſtate, from adminiſtrators, with a will annexed, unto a perſon who had been appointed a receiver of the rents and profits of ſuch eſtate, under a decree of the Court of Chancery. 4 *Wms.* 1474. *(J. H.)*

A deed of mutual conveyances between two parties. It recites that diſputes had ariſen between them relating to lands, boundaries, &c. and the heads of an agreement which they had drawn up and ſigned. The firſt party aſſigns to the ſecond two leaſehold intereſts, and grants and releaſes a right of common, rents, heriots, &c. The ſecond party releaſes to the firſt certain lands. Other matters as in the margin. *Horſm.* 367. To end differences.

A deed of mutual releaſes and aſſignments, between a ſon of a freeman of London, who is heir and executor to his father, of the one part; and his ſiſter and her huſband of the other part; concerning their different claims upon the father's perſonal eſtate, by deeds of ſettlement, the will of the father, the cuſtom

of London, and ſtatute of diſtributions; under particular circumſtances. *Horſm.* 374.

A deed of releaſe of lands, from an elder brother and his truſtee, to a younger, in order to make an end of ſuits and family differences; the elder by this deed releaſes lands to the younger, in conſideration of real and perſonal eſtate, by another deed of this date, releaſed by the younger to the elder. *Ibid.* 925.

Of dower. A releaſe by a widow of her dower, and her thirds by the cuſtom of London, in conſideration of a proviſion made her by her marriage-ſettlement. *Lil.* 739.

A releaſe of dower; by indorſement on a deed, containing a covenant by the deceaſed huſband for this purpoſe. *Horſm.* 925.

A releaſe of dower. 3 *Wms.* 1437. (*Rivet*)

Equity of redemption Conveyance by grant or releaſe of the equity of redemption of the mortgaged premiſes to a purchaſer, many recitals of aſſignments of the mortgage, and further charges thereon, (*very ſpecially drawn*). 2 *Bridgm.* 486.

Releaſe of equity of redemption in an aſſignment of a mortgage. *Lil.* 658.

A releaſe of the equity of redemption from the heir of a mortgagor to a perſon in truſt for the mortgagee. 4 *Wms.* 1533. (*Rivet*)

Errors. A general releaſe of errors on a judgment (*ſhort*). 2 *Bridgm.* 42. 75. 365.

A releaſe of errors concerning a judgment in a mortgage. *Lil.* 649.

Executorſhip. Releaſe or renunciation of an executorſhip, (*ſhort*). 2 *Bridgm.* 53.

A deed poll on disfranchising a member of a company, whereby the corporation releaſe him of his freedom, and all offices and charges whereto he is engaged under charters, bye-laws, or otherwiſe. 4 *Wms.* 1551. *(Booth).* Freedom.

A conveyance by leaſe and releaſe, (this being the releaſe) of a moiety of a meſſuage, to indemnify a purchaſer of lands, &c. againſt a fee farm rent, iſſuing out of the whole to the crown. The title is derived under ſeveral deeds and wills; which are recited and mentioned in the margin. *Horſm.* 873. As an indemnity.

A conveyance of a freehold eſtate unto truſtees by deeds of leaſe and releaſe, from a perſon who was appointed clerk of a company; as a ſecurity for his fidelity in ſuch ſituation. 3 *Wms.* 1377. *(J. H.)*

Conveyance to truſtees as a collateral ſecurity for ſettling a new jointure on a wife, ſhe having parted with her jointure. 1 *Bridgm.* 169. Jointure.

Grant (by leaſe and releaſe), of lands, &c. by deviſees to a jointreſs in ſatisfaction of damage ſuſtained in her jointure by reaſon of incumbrances. 1 *Bridgm.* 362.

A releaſe by a huſband, of his wife's jointure by a former huſband, to her ſeparate uſe; and to be ſubject to her debts. Huſband and wife agree to levy a fine *ſur conceſſerunt*, of her jointure on the preſent huſband's eſtate to truſtees for him; the fine to be in a county palatine. Other matter as in the margin. *Horſm.* 362.

A general releaſe or acquittance to an executor of all claims and intereſt under a will. *(ſhort).* 2 *Bridgm.* 21. Legacies, &c.

Legacies, &c. continued.

Releaſe from an adminiſtrator to the inteſtator of ſo much of perſonal property for which a ſuit was inſtituted, as is confeſſed in the defendant's anſwer to have been converted by her. 2 *Bridgm.* 365.

Grant and releaſe of all intereſt under an adminiſtration. 2 *Bridgm.* 366.

Short releaſes for legacies. *Horſm.* 2. 4 *Wms.* 1549. *(Rivet)*

Releaſe, by legatees and deviſee to a purchaſer, of legacies charged on lands. Purchaſer covenants to produce diſcharges of legacies in favor of the executrix, *(conciſely and accurately drawn)*. *Horſm.* 3.

A releaſe of a legacy and of all other claims under a will. 3 *Wms.* 1276. *(Wm. Rivet)*

Releaſe of a legacy by truſtees of a charity-ſchool to executors. *Horſm.* 1.

A releaſe and extinguiſhment of right from executors to a deviſee. 4 *Wms.* 1540. (*Duane*)

Mortgage.

Transfer of a mortgage in fee by leaſe and releaſe, and appointment of a feme-covert; the mortgagor being an alien, his wife joins in the covenants. 2 *Bridgm.* 67.

A releaſe and confirmation of mortgage; meſſuages and reverſions in truſt. *Lil.* 682.

Releaſe by way of transfer of a mortgage of the quit-rents of a manor and other premiſes, *(ſpecial recitals, and well drawn)*. *Lil.* 567.

Lands, &c. to purchaſers.

Conveyance by leaſe and releaſe, and fine and recovery by a man and his wife of a manor, Barton and Farm, to two joint purchaſers; ſeparate grants of remainders, &c. and writings; a general warranty; ſpecial covenants relative to a fine already levied and

recovery to be ſuffered. (*well drawn*). 1 *Bridgm.* 72. Purchaſers continued.

Conveyance by leaſe and releaſe of a manor, rectory, advowſon, and lands, &c. by three vendors to a purchaſer reſerving a rent; extenſive general words, ſeparate grants of reverſions, and writings, fee farm rent reſerved, with other ſpecial proviſions, (*a good precedent*) 1 *Bridgm.* 280.

Conveyance by leaſe and releaſe of manors, &c. from two to one, (*good uſual covenants.*) 2 *Bridgm.* 457.

A conveyance by leaſe and releaſe of lands in fee, (*ſhort*) 2 *Bridgm.* 368.

Conveyances in fee by leaſe and releaſe of tofts, and two meſſuages building thereon. *Lil.* 535.

The like of wood ground, with covenant of warranty, and covenant to levy a fine, (*well drawn*) *Ibid.* 538.

The like of one-fourth part of meſſuages, &c. covenant to levy a fine. *Ibid.* 545.

Leaſe and releaſe in fee of the moiety of a meſſuage from a mother to a ſon. *Lil.* 562.

Conveyance by leaſe and releaſe, with covenant to levy a fine, and a declaration of the uſes to the purchaſer. *Lil.* 574.

Conveyance by leaſe and releaſe of a meſſuage and lands, part freehold and part copyhold, during the life of the releaſor, (*with a ſpecial covenant in reſpect to the copyhold part.*) *Lil.* 613.

A conveyance by leaſe and releaſe, and fine, to a purchaſer of two annuities charged on lands, the conveyance by huſband and wife

Purchasers *continued.* and infant truſtees (under an order of Chancery made in purſuance of 7 Anne) (*well drawn*) *Horſm.* 379.

A conveyance by leaſe and releaſe of a plantation in Barbadoes; this being the releaſe. Wills, &c. recited. *Horſm.* 768.

Part of a deed of releaſe of a plantation in Barbadoes; wherein a term is raiſed to ſecure to the vendor the purchaſe-money, to be applied as by the will of an anceſtor. *Horſm.* 774.

A deed of releaſe; being a conveyance in fee of lands (which are in mortgage to different perſons, to ſome in fee, to others for years) under two wills, a decree and ſeveral orders, &c. in Chancery; and alſo containing aſſignments from the mortgagees, and variety of recitals. *Horſm.* 824.

A deed of releaſe to a purchaſer of lands, &c. by the truſtees of a feme covert deceaſed, under a will made by her, purſuant to a power reſerved by deeds before marriage. *Horſm.* 836.

A conveyance by leaſe, releaſe and recovery, of a mortgaged eſtate; the wife of the mortgagor having joined in a fine upon making the firſt mortgage. The mortgagee aſſigns, upon this purchaſe, his two mortgage-terms to truſtees for the purchaſer of the inheritance. *Horſm.* 839.

A deed of releaſe. Lands ſettled upon a marriage are afterwards by a private act of parliament veſted in truſtees, to be conveyed in fee to the huſband, upon his ſettling other lands to the uſes of the marriage ſettlement: the huſband ſettles other lands accordingly; and he and his truſtees under the act, now

join in a conveyance of the firſt ſettled lands to four joint purchaſers. *Horſm.* 844. Purchaſers continued.

A releaſe; being a conveyance by huſband and wife, and her ſiſter a feme ſole, to a purchaſer, by leaſe and releaſe, and by fine already levied, and recovery to be ſuffered, of land, ſubject to a mortgage term or other terms which are to be aſſigned to his truſtees; the premiſes ſubject to a rent and a leaſe for years; with proper covenants. *Horſm.* 852.

Conveyance of lands by leaſe and releaſe, and fine and recovery (hereby covenanted to be levied and ſuffered) by the deviſee, and other children of the deceaſed (who was owner of the eſtate), and their truſtees, to the purchaſer and his truſtee; with exception of a mortgage-term aſſigned to attend the inheritance, and a leaſe made to a tenant. *Horſm.* 857.

A conveyance by the owner of lands and his truſtee, by leaſe and releaſe, and bargain and ſale bearing even date, (this being the releaſe) of lands, ſubject to a mortgage in fee and other incumbrances, which are now paid off. *Horſm.* 862.

A conveyance by recovery, leaſe and releaſe, of a moiety of lands deviſed in tail to the ſon, ſubject (as to one third) to an eſtate for life for his mother, and ſubject to a mortgage by the teſtator; and to a ſum charged on a term, raiſed by the will of the perſon from whom the teſtator purchaſed. With ſpecial recitals and exceptions. *Horſm.* 866.

A conveyance of wood and wood grounds, by truſtees under a will deviſing the lands to be ſold for certain purpoſes. Two wills, a decree in Chancery, and ſeveral reports and

Purchaſers *continued.* orders are recited; as alſo a mortgage for years. The aſſignee of the mortgage (being now paid) aſſigns her mortgage to a truſtee for the purchaſer. The conveyance is by bargain, &c. inrolled, and leaſe and releaſe (this being the releaſe): and the heir at law joins in the conveyance. *Horſm.* 877.

A conveyance of manors, lands, yearly rents, power to cut timber, &c. by the truſtees, under a will, and heir at law and her huſband: there being alſo a decree in Chancery; which, with a report, and order to confirm it, is recited. The huſband of the heir at law was to have a pre-emption. The conveyance is by bargain, &c. to be inrolled, and leaſe and releaſe; this being the releaſe. This deed contains alſo a ſale of furniture of a houſe. *Horſm.* 884.

A ſale of manor, foreſt, chaſe, &c. under a will, act of parliament and decree; by bargain, &c. to be inrolled, and leaſe and releaſe, this being the releaſe. The act, decree, &c. are recited. Exception of certain incumbrances; ſome of which are aſſigned to protect, &c. *Horſm.* 891.

A releaſe of lands to a purchaſer, with exception of a perpetual charity, which is to be paid out of the eſtate. *Horſm.* 898.

A deed of releaſe of lands, &c. which were ſubject to mortgages and other incumbrances. The incumbrances are to be now paid out of the purchaſe-money. The purchaſers are the acting executors under a will. Truſtees and creditors are parties. A covenant to levy a fine. Many recitals and other circumſtances and covenants, as in the margin. *Horſm.* 901.

A deed of releaſe of copperas works, (which are become a ſcanty ſecurity) to the mortgagee of them in fee; and a ſale and aſſignment of the ſtock and utenſils. This conveyance being by tenant in tail male, with the immediate remainder in fee expectant; he covenants to levy a fine of them, to the releſſee. The conſideration is the mortgage money. *Horſm.* 918. Purchaſers *continued.*

A deed of releaſe; by a mother, ſon, and mortgagee in fee, of a brewhouſe, &c. (with exceptions) to a purchaſer; the mortgage-money, and other money lent, being now paid out of the purchaſe-money. A truſtee of a term which had been raiſed for the benefit of the mortgagee, now (by direction) agrees to ſtand poſſeſſed, to protect, &c. for the benefit of the purchaſer. *Horſm.* 921.

A deed of mutual releaſes. A mortgagor in fee, in conſideration of the money due on the mortgage, and of other money, releaſes abſolutely part of the lands to the mortgagee: and truſtees of a term covenant to ſtand poſſeſſed for the benefit of this purchaſer. The mortgagee releaſes to the mortgagor, the reſt of the lands in mortgage; and a truſtee of terms, by direction aſſigns them to a truſtee for this latter purchaſer. Some writings to be kept by one party, others by the other party. *Horſm.* 929.

A deed of releaſe of manors, lands, &c. bought in truſt, before a Maſter in Chancery, under a will, and decree thereupon for a ſale. An aſſignment of term to attend, &c. A covenant by two huſbands, for them and their wives, to levy fines. The reports of ſeveral maſters, and the orders confirming them, and ſeveral other orders recited. *Horſm.* 937.

Purchasers *continued.*

A conveyance in fee by leaſe and releaſe, (this being the releaſe) of lands in mortgage for years. The mortgage terms are hereby aſſigned to truſtees for the purchaſer; and term which was created by an old marriage-ſettlement to raiſe portions (which have been paid) is aſſigned by another deed of this date; the mortgage-money paid is part of the conſideration-money of this conveyance, the aſſignee of the mortgage being a party. *Horſm.* 944.

A conveyance by leaſe, releaſe, &c. (this being the releaſe) of part of lands in mortgage. The vendor pays off part of the mortgage-money, and the vendee pays the reſidue to the mortgagee, who is one of the parties hereto. This payment being the conſideration-money. The mortgage term is aſſigned by the mortgagee, to a truſtee for the purchaſer. *Horſm.* 949.

A releaſe of marſh lands, &c. A reference to a bargain and ſale to be inrolled. Exception of rents and ſervices due, and of a leaſe made. *Horſm.* 953.

A deed of releaſe of lands, by the deviſee and his wife, to a purchaſer. Part of the conſideration money to be paid for mortgages and other debts. A fine covenanted to be levied, to the uſe of the purchaſer. Terms to be aſſigned to protect, &c. *Horſm.* 956.

A conveyance of lands in mortgage to a purchaſer under a ſettlement, will, and decree in Chancery. Other lands excepted, and mutual agreements as to the enjoyment of a ferry, landing-place, &c. Variety of other good matter, as in the margin. *Horſm.* 1073.

A conveyance of freehold premiſes, by leaſe and releaſe from a deviſee, to a pur-

chaſer, wherein the heir at law joined by way of confirmation. 3 *Wms.* 1151. (*B. Filmer*) Purchaſers continued.

A conveyance of a manor, by deeds of leaſe and releaſe from a mortgagee, mortgagors, and the truſtee of an inſolvent perſon to a purchaſer, with covenants from the purchaſer upon part of the purchaſe-money being left in his hands, to pay the intereſt thereof, to certain perſons for life, and after their death to divide the principal among the parties intitled thereto under a will. 3 *Wms.* 1159. (*M. Duane*)

A conveyance of freehold ground rents, by leaſe and releaſe. 3 *Wms.* 1199. (*J. H.*)

A conveyance by leaſe and releaſe of a freehold eſtate, and an aſſignment of leaſehold premiſes, from the truſtees named in an act of parliament, and an heir at law to a purchaſer. 3 *Wms.* 1210. (*J. H.*)

A conveyance by leaſe and releaſe of the ſeventh part of a freehold eſtate directed by a teſtator to be ſold for the purpoſe of dividing the monies ariſing by ſuch ſale between ſeveral perſons, and an aſſignment from the grantor of his ſhare thereof. 3 *Wms.* 1247. (*Rivet*)

A conveyance of a freehold eſtate by leaſe and releaſe to ſeveral perſons in truſt for a corporation, with a declaration of truſt from the truſtees; and an aſſignment of a term to a truſtee to attend the inheritance. 3 *Wms.* 1256. (*J. H.*)

A conveyance of freehold premiſes from a mortgagor, a mortgagee, and a perſon formerly intitled to the inheritance, by deeds of leaſe and releaſe. 3 *Wms.* 1287. (*W. Fogg.*)

A conveyance of a freehold eſtate to a pur-

Purchaſers *continued:*

chaſer, by leaſe and releaſe, wherein the mortgagee, and truſtees appointed by a former deed to ſell the premiſes, as well as the mortgagor, joined; and an aſſignment of a term to a truſtee. 3 *Wms.* 1300. (*J. H.*)

A conveyance of a freehold eſtate to a purchaſer, by leaſe and releaſe, from a deviſee for life, an heir at law and other perſons, intitled to monies to ariſe by ſale of the premiſes, after the death of the tenant for life, in conſideration of bank ſtock transferred to truſtees, the teſtator having given the tenant for life power, with the concurrence of legatees, to ſell the premiſes, upon condition that the purchaſe-money was veſted in the funds, in the name of a truſtee for the purpoſes in his will. There is alſo a declaration of truſt in this deed from the tenant for life and truſtee, with reſpect to the bank ſtock transferred as the conſideration. 3 *Wms.* 1323. (*J. H.*)

A conveyance by leaſe and releaſe, from a mortgagee and a mortgagor, of a moiety of a freehold eſtate, whereof partition had been made under a decree in the Court of Chancery. 3 *Wms.* 1343. (*J. H.*)

A conveyance from a deviſee and a truſtee to a purchaſer by leaſe and releaſe, of the ſeventh part of a freehold eſtate, to which the teſtator was intitled under a marriage ſettlement. 3 *Wms.* 1363. (*W. Rivet*)

A conveyance of freehold premiſes by deeds of leaſe and releaſe, to a corporation, from perſons who had purchaſed the ſame in truſt for ſuch corporation, by virtue of powers in the act for building Blackfriars-bridge, enabling bodies corporate, &c. to purchaſe other

lands in lieu of ſuch as the city of London ſhould purchaſe under that act. 4 *Wms.* 1445. (*Duane*) Purchaſers *continued.*

A conveyance of a freehold eſtate to a purchaſer by deeds of leaſe and releaſe from a perſon entitled under a marriage ſettlement; and an aſſignment of policies of inſurance. 4 *Wms.* 1465. (*W. Rivet*)

A conveyance of lands by leaſe and releaſe, and a fine and recovery hereby covenanted to be levied and ſuffered. 4 *Wms.* 1481. (*W. Rivet*)

A releaſe from an heir at law and truſtees in a ſettlement to a purchaſer. 4 *Wms.* 1492. (*W. Rivet*)

A releaſe in fee from the aſſignee of a bankrupt to a purchaſer. 4 *Wms.* 1514. (*Rivet*)

Conveyance by leaſe and releaſe to truſtees under a ſettlement, of the fee-ſimple in one moiety of lands, &c. and a life-intereſt in the other moiety of the ſame eſtate, with covenant that the reverſioner ſhall convey when of age; this purchaſe made by the truſtees with monies ariſing by the ſale of ſettled eſtates in purſuance of a power for that purpoſe. Part of the purchaſe-money inveſted in bank annuities till the reverſioner attain twenty-one years. 2 *Pow. Wood,* (*J. J. P.*)

Conveyance by leaſe and releaſe of lands by a mortgagor and mortgagee to a purchaſer, (*recitals as to bankruptcy and copyholds.*) 3 *Pow. Wood,* 199.

The like by owners and their truſtees of freehold and copyhold premiſes to a purchaſer,

(recitals of proceedings in Chancery.) 3 *Pow. Wood*, 217.

Conveyance by leaſe and releaſe of the fourth part of meſſuages, &c. to a purchaſer and his truſtees. 3 *Pow. Wood*, 229. *(F. F. P.)*

Note. *This deed is ſo framed as to prevent dower, and enable the purchaſer to convey without the interpoſition of his truſtee.*

☞ *Having ſuggeſted in vol. 2. p. 135, of the Collection of Precedents before adverted to, the objections of the learned annotator on* Co. Litt. 379. b. n. (1) *to which ſome of the limitations for barring dower of the wife ſeem to be liable, and having there alluded to the doubts which are entertained by many reſpectable gentleman of the Profeſſion, reſpecting the propriety of ſuch of them as reſpect the efficacy of limiting an eſtate to the "husband's appointment, and in default thereof to him in fee;" and it having been ſince intimated to me that the grounds upon which I ſaid they were entitled to color have by ſome been doubted or miſconceived, I avail myſelf of the opportunity I now have of preſenting the Student with an opinion upon this ſubject, lately given by a gentleman of conſiderable eminence and eſtimation in the Profeſſion, by which the Reader will perceive more diſtinctly the reaſons upon which the doubts alluded to proceed, and conſequently the weight to which they may be entitled.*

"*Under the limitations to the huſband and his heirs, he becomes actually ſeized of the* inheritance, *and his wife, unqueſtionably, is at that time intitled to dower out of that eſtate and will be dowable at his death, unleſs her right of dower can be defeated. The eſtate of the huſband is ſubject to a power of appointment; by exerciſing that power he will over-reach and put an end to the eſtate now actually veſted in him.*

The queſtion then ſimply is, Whether by determining his own eſtate he will defeat the right of his wife? Generally ſpeaking, dower is a derivative intereſt, and depends on the eſtate of the huſband; and before the introduction of eſtates by ſhifting uſe and executory deviſe, as legal modes of Limitation (with the exception of eſtates tail determined by the failure of iſſue inheritable under the intail) the wife's right of dower was univerſally involved in the determination of the eſtate of her huſband, and therefore whether the eſtate actually determined in point of limitation or by means of a condition, the wife's right of dower was neceſſarily defeated becauſe her right of dower is derived out of, and is dependant on the eſtate of her huſband. The right of the wife to have her dower out of an eſtate tail, notwithſtanding the determination of that eſtate by the failure of iſſue, ſeems to have been allowed, on the ground that the ſtatute of intails made no alteration of the huſband's eſtate, as between him and his wife. Since this deciſion two other exceptions have been made, the firſt applying to fees determined by a ſhifting uſe, 1 Leon. 168. *the ſecond to fees determined by executory deviſe.* Buckworth and Thirkell, Trin. Term. 25 Geo. 3. K. B. *and in both theſe caſes it ſeems to be agreed that the right of huſbands to curteſy, and conſequently of wives to dower, will continue notwithſtanding the determination of the eſtate in reſpect of which the claim is made. The caſe alluded to appears to be governed by theſe authorities, and to be within the reaſon and principle upon which they were decided. For what more or leſs, than a fee determinable by a ſhifting uſe, is a fee determinable by means of a power of appointment. Of the two inſtances, this ſeems moſt favourable to the wife's claim, ſince the eſtate of the huſband*

is to be determined by his own act. *At the same time I am aware that it may be objected that as the estate of the husband is subject to a power, the right of the wife ought also to be subject thereto, because the very object intended to be attained by means of the power is to enable the husband to defeat his wife's title to dower. It is impossible to foresee the weight which a court of law will allow to this argument. That the subject is open to argument and discussion, is sufficient reason to induce a purchaser to act in the most secure manner; and the smaller the purchase the more burthensome, comparatively, will be the expence of litigating the question. It is certain that on this point different opinions have been entertained by the Profession; and the late Lord* Ashburton, *in a MS. opinion in my possession treated the case as too doubtful to enable him to recommend a person who was about to advance money upon a title attended with these circumstances, to accept the security without a fine from the intended mortgagor and his wife. This opinion was given in the year* 1776, *consequently before the decision of the case of* Buckworth *and* Thirkell; *and that case adds greatly to the weight of the in* dictum *in* Leon: *and gives authority to that* dictum; *since estates determined by executory devises and estates determined by shifting uses are within a parity of reason; influenced by the same principle, and subject to the same collateral qualities.*"

Conveyance by a trustee to his *cestui que trust* of an estate purchased in the trustee's name, and assignment of a statute-staple. 1 *Bridgm.* 88.

Right and title. A release of all right and title to certain manors, lands, &c. for ever. 1 *Bridgm.* 239.

To suffer recovery. A release for making tenant to the freehold

in order to suffer a recovery to bar intails. *Lil.* 743. Recovery *continued.*

A release, &c. to make a tenant to the præcipe for suffering a recovery. The manner directed. The use declared to the grantor in fee. *Horsm.* 896.

A deed of release, in order to a recovery in a manor court. *Horsm.* 965.

A release for suffering a recovery of part of an estate comprized in a marriage settlement, and for confirming the uses limited thereof by that settlement. 3 *Wms.* 1398. (*Booth*)

A release for suffering a recovery in order to secure the payment of an annuity, and confirm a will. 3 *Wms.* 1418. (*Duane*)

Conveyance by release and confirmation of premises (specially circumstanced) in trust to sell for payment of mortgages, and to dispose of residue as specified in another deed. *Lil.* 558. Release in trust.

A lease and release of rectory and lands in trust to raise an annuity in fee, with power of distress, *nomine pœnæ*, and proper covenants. *Lil.* 785.

A release of lands, a park lately disparked, &c. (which have been settled to charitable uses) to the use of the releasor and releasees. *Horsm.* 211.

A release of lands, &c. (settled to charitable uses) by the surviving trustees, to new trustees; upon trusts (referred to) in another deed of this date. *Horsm.* 213.

A deed of release from one to many, supposed in trust for charitable uses; though no notice taken of them in this deed. *Horsm.* 218.

In truſt *continued.*

A deed of releaſe of lands by one to three. Part of the profits to educate independent miniſters; the reſidue to the grantees and the heirs of the ſurvivor; the ſurvivor to convey to truſtees a power of revocation reſerved. *Horſm.* 229.

A conveyance (this being the releaſe) of lands by a ſon to his father's will to be laid out in a purchaſe, to be ſettled; and they are hereby ſettled accordingly. *Horſm.* 960.

A teſtator having deviſed money to be laid out in lands, to be ſettled in a particular manner upon ſeveral collateral relations ſucceſſively; one of the remainder-men, in conſideration of part of the money, by this deed conveys lands which he had purchaſed, to the truſtees in the will, to the uſes thereby directed. *Horſm.* 1081.

A releaſe from ſeveral perſons, who claimed intereſt in the premiſes, to the aſſignees of a bankrupt. 4 *Wms.* 1525. (*Rivet*)

Under a will.

Conveyance by leaſe and releaſe in fee by a man and his wife, and others in purſuance of a will; a covenant to levy a fine; ſpecial circumſtances recited, (*the whole well drawn*). 2 *Bridgm.* 335.

A deed of releaſe, &c. whereby an elder brother conveys his paternal eſtate to his younger brother in tail male; in performance of a condition in the will of their maternal grandfather, by which he deviſed his eſtate to the new grantor, upon the terms and in manner herein recited. The grantor by another deed of this date, which is recited, revokes his marriage-ſettlement of his paternal eſtate, and makes new appointments in jointure, &c.

purſuant to a power in the ſettlement. *Hotſm.* 909.

A conveyance in fee, by leaſe and releaſe, from an heir at law to a deviſee in order to confirm a defective deviſe. 3 *Wms.* 1281. (*Rivet*).

RENUNCIATION.

Renunciation.

A RENUNCIATION of intereſts under a will. 2 *Bridgm.* 41.

A renunciation of an executorſhip. 2 *Bridg.* 53.

A deed by which a creditor renounces the protection of his privilege, in caſe he ſhould become a peer or member of parliament before the diſcharge of the debt. *Lil.* 738.

RESERVATION.

Reſervation

RESERVATION of an heriot. 1 *Bridgm.* 15.

The reſervation of *nomine pœnæ* in an annuity deed. 1 *Bridgm.* 78. 151. 244.

RESIGNATION.

Reſignation

RESIGNATION of a vicarage. 2 *Bridgm.* 183. 184.

REVOCATION.

Revocation.

A SIMPLE revocation under a power by deed poll. 1 *Bridgm.* 145. 2 *Ibid.* 27.

The like with wife's conſent, with teſtimonials of ſuch conſent. *Bridgm.* 146.

The like, with declaration of new uſes. *Ibid.* 147.

Truſts. Long exchequer annuities having been ſettled upon a marriage, to make proviſion for the wife and younger children, were in 1720, ſubſcribed into the South-Sea; by which the proviſion falling ſhort, the huſband ſettled lands of as good value in lieu of them; and by this deed, he, his wife and mother (being the only ſurviving parties) purſuant to a power in the ſettlement, revoke the truſts of the South-Sea ſtock and annuities. *Horſm.* 971.

A revocation, in purſuance of a power, of the truſts of a ſum of money; and direction to the truſtees to pay it to one of the parties; he covenants to pay the like ſum to the like uſes in his life-time. *Horſm.* 972.

A revocation, (in purſuance of a power) by the grantor in a voluntary ſettlement, of the uſes of lands, &c. to enable him to ſell without his truſtees: he now limits them to himſelf in fee. *Horſm.* 973.

A deed of revocation, appointment and releaſe in fee of a manor, upon the ſame being ſold to a purchaſer; part of the purchaſe-money to remain on mortgage of the premiſes. 4 *Wms.* 1557. (*M. Duane*).

Uſes. Revocation of uſes in order to a ſettlement. 2 *Bridgm.* 378.

Deed of revocation of uſes by deed poll; new uſes appointed; power of revocation, &c. *Lil.* 792.

A deed of revocation of the uſes in a marriage-ſettlement, and appointment of other uſes. 4 *Wms.* 1583. (*Rivet*).

Revocation by truſtees (in a deed of appointment) of uſes, &c. limited in reſpect of eſtates now intended to be ſold. 1 *Pow. Wood,* 502.

SETTLEMENTS.

SETTLEMENT (and partition by lot) by daughters, tenants in common, and their husbands, of lands, &c. with the mode of casting lots particularly set forth. 1 *Bridg.* 1.

Settlement of an estate and rent to uses by lease and release, and covenant to levy a fine. 1 *Bridgm.* 275.

Settlement of an estate on the grantor and his family, with powers to make settlements, &c. 2 *Bridgm.* 96.

Settlement of money in mortgage by a widow and executrix, on herself and children, with power of revocation. 2 *Bridgm.* 401.

Settlement of woodgrounds by way of increase of a wife's jointure. *Horsm.* 17.

Settlements on marriage by lease and release, *(short)*. 1 *Bridgm.* 83. 299. 2 *Ibid.* 251. — Before marriage.

Settlement of lands in the name and blood of the settler by deed of covenant to levy a fine to the intended uses. 1 *Bridgm.* 124.

Settlement by lease and release and assignment in fee to raise a provision for wife and portions for children. 1 *Bridgm.* 138.

Settlement on marriage, of lands, &c. by lease and release; a great variety of limitations and provisions, *(well drawn)*. 1 *Bridgm.* 148.

Settlement before marriage by deed, to lead the uses of a recovery to be suffered for that purpose. 1 *Bridgm.* 171.

Settlement before marriage with many limitations and provisions; a covenant to levy a

Before marriage continued.

fine and ſpecial diſcharge of marriage portion. 2 *Bridgm.* 187.

The ſettlement of a jointure after marriage, in purſuance of previous articles; (*very ſhort, no covenants*). 1 *Bridgm.* 191.

Settlement of an eſtate in the name and blood and family of the ſettler by fine and recovery, and declaration of the uſes thereof, (*ſettled by Serj. Feaſant, Hale, and Bridgman*). 2 *Bridgm.* 1.

Others by leaſe and releaſe to uſes. *Ibid.* 58. 110. 136. 371. 507.

Settlement (by leaſe and releaſe) of an eſtate by a father for the purpoſe of raiſing portions and proviſions for his children, (*well drawn*). 2 *Bridgm.* 110.

Note. *The leaſe for a year recited in a peculiar manner.*

Marriage ſettlement in which is contained peculiar modes of barring entails and remainders of lands, &c. and ſettling the ſame again by this deed; a vaſt variety of limitations, truſts, proviſoes, &c. (*well drawn*). 2 *Bridgm.* 195.

Marriage ſettlement where lands are conveyed to truſtees, by way of portion, to be ſold for repurchaſing other lands to be ſettled to the uſes here directed. (*ſhort but well drawn*). 2 *Bridgm.* 217.

Marriage ſettlement of lands, &c. in the name and blood of the ſettler in part of the portion paid to the huſband, part to his father, fine levied in order to a recovery, many limitations. 2 *Bridgm.* 224.

Marriage ſettlement of lands to raiſe a rent charge by way of jointure; diſtreſs, nomine

powers, &c. and many limitations. 2 *Bridgm.* 237. Before marriage continued.

Marriage settlement by way of covenant to lay out money for the purchase of lands to be settled, and to pay money in certain events. 2 *Bridgm.* 249.

Marriage settlement by grant and release; father of the husband settles his lands first; then the father of the wife his; with a power of revocation, (*a good precedent, having a great many wife provisions, and well drawn.*) 2 *Bridg.* 266.

Formal beginning of a marriage settlement of a jointure, only referring to a subsequent deed for other provisions. 2 *Bridgm.* 291.

Marriage settlement by way of deed of trust for disposing of money by way of further provision for life. 2 *Bridgm.* 292.

Grant of a college lease for years by way of settlement on a marriage. 2 *Bridgm.* 306.

Settlement of estates by private act to be sold for the purpose of raising the marriage-portion of the intended wife, (*very special, with a great variety of recitals, provisions, and limitations.*) *Lil.* 698.

A marriage settlement of bank and South-Sea stock, with the usual provisions for children, &c. *Lil.* 745.

Marriage settlement, drawn in a special and masterly manner, with a great variety of provisions and limitations. *Lil.* 753.

Settlement of estates, and of an annuity by a father on his children; covenant to levy a fine and uses declared; power to make leases, jointure, &c. *Lil.* 775.

Before marriage *continued.*

A ſettlement before marriage, by the intended wife to the huſband and his truſtee, of a mortgage in fee, as part of her portion. *Horſm.* 476.

A marriage ſettlement (in which the mother and ſiſter of the intended huſband join) of freeholds, copyholds, and a biſhop's leaſe. Terms raiſed to provide portions on different events, and to indemnify the ſettled eſtates againſt a proviſion for a brother who is a minor. *Horſm.* 510.

A ſettlement before marriage; by the father, mother and ſon, (the intended huſband) of freeholds, copyholds, corporation leaſes, and other leaſehold intereſts; ſome for lives, ſome for years; with variety of limitations, &c. for the benefit of father, mother, huſband, wife, iſſue of that or any other marriage, and remainder to the huſband's brother, &c. *Horſm.* 525.

A ſettlement by a widower, on his marriage with a ſecond wife: pin-money and a jointure provided, and terms in truſtees for the better payment of each. Uſual limitations to firſt and other ſons in tail male, remainder to brothers of the huſband, &c. terms to raiſe portions for younger children; and for daughters, if no ſon. Power of revocation as to the collateral remainder. *Horſm.* 543.

A marriage-ſettlement; in which the father of the intended huſband joins, the lady's portion being paid to him. A rent-charge, tax-free, for a jointure, in bar of dower: part limited to the father for life, remainder to his wife for life, &c. ſeveral terms of different parts created, for better ſecuring the jointure,

Now

to indemnify againſt portions of the huſband's uncles, to raiſe portions for younger children, or for daughters, if no ſon. Proviſoes for ceaſing terms, &c. on unuſual contingencies. Power to make a jointure to a future wife. Leaſing powers, and good covenants. *Horſm.* 557. Before marriage *continued.*

A marriage-ſettlement; in which the lady's mother pays half the portion to the huſband, and half to truſtees. A term for pin-money. A rent-charge, free of taxes, for a jointure in bar of dower. Uſual limitations in tail. Several terms raiſed for better payment of the jointure, and to raiſe portions for younger children. Leaſing power and uſual covenants. The truſt of the moiety of the portion is, the profits to the huſband for life; then the principal to younger children, &c. if none, to the executors, &c. of the huſband. Powers to place it out, &c. *Horſm.* 570.

A marriage ſettlement, in which the father and his truſtee and eldeſt daughter join with the younger daughter (upon her marriage with a citizen) to reſettle their eſtate by moieties. The father covenants to ſurrender a copyhold to the uſe, &c. or to ſuffer it to decend. The huſband covenants to allow the wife the benefit of the cuſtom of London, notwithſtanding the ſtatute. *Horſm.* 581.

A marriage ſettlement, in which the whole portion given by the grandfather and father deceaſed, and a living grandmother, is paid to truſtees; to purchaſe lands to be ſettled to the uſes, &c. in this ſettlement. Grant of parcels by variety of deſcriptions, to make a tenant to the præcipe. Covenant for two recoveries: their uſes declared. Several terms

Before marriage *continued.*

created for pin-money, jointure, portions, &c. for younger children, or daughters if no ſon (theſe three laſt in one;) and leaſing powers, with a view to building leaſes. Proviſions about the money, and truſtees. N. B. *No limitation to ſon. Horſm.* 587.

A ſettlement before marriage, with uſual limitations, &c. as to part; and a term raiſed as to other part, to indemnify the intailed part againſt a charge by ſome of the huſband's anceſtors, in favour of younger children, ſome of the perſons intitled being minors. Other terms for raiſing portions and maintenances for younger children; or for daughters if no ſon. Power to raiſe ſums to put out ſons; if only one daughter ſurviving her mother, ſhe to have half her portion in her father's life-time. A church-leaſe alſo ſettled. *Horſm.* 601.

A ſettlement before marriage, of freehold and copyhold eſtates (the portion part paid, part ſecured) to make a jointure, (in a particular manner) by way of rent-charge. Uſual limitations. Terms to raiſe portions and maintenances for younger children, or daughters there being no ſon. Uſual clauſes. Leaſing power free from incumbrances, except rents, &c. The wife's uncle covenants to pay part of the portion, and to ſurrender copyhold to the uſe of the huſband by way of mortgage, to ſecure that part. *Horſm.* 613.

A ſettlement before marriage, of land, monies and bank annuities of the wife, and bank annuities of the huſband. The intended wife grants, releaſes, &c. Uſual limitation to ſons; remainder to daughters in common, with croſs remainders; remainder to wife's

appointee, or to her in fee. Leaſing power to huſband and wife. Agreement as to the annuities, &c. to be inveſted in a purchaſe, and ſettled. The wife's eſtates for life to be in bar of dower. A term to raiſe portions and maintenances for children. Future ſettlement to contain certain clauſes, &c. proper power and indemnity to the truſtees of his perſonal eſtate. *Horſm.* 625. Before marriage *continued.*

A ſettlement before marriage; being a deed of appointment of a rent charge by way of jointure in bar of dower, in purſuance of a power given by a private act of parliament. There is alſo a term raiſed for pin money; a term for the better payment of the jointure; a ſettlement of the wife's portion, ſtock and South-Sea annuities, and an additional ſum of the huſband's for benefit of huſband, wife and children. *Horſm.* 632.

A ſettlement before marriage; by which, in purſuance of an agreement, the huſband ſettles lands of inheritance, and a church leaſe for lives, and transfers South-Sea ſtock: the lady's father transfers South-Sea ſtock and annuities: both to be transferred to themſelves and two more, to be inveſted in lands to be ſettled. The lands, &c. are limited after huſband and wife, to ſon or ſons of the marriage, as appointed by their father, not exceeding an eſtate tail. If no appointments, to the firſt, &c. Terms for portions. Jointure for the wife out of different funds. Directions for ſettling lands when purchaſed; and other *ſpecial matters*, as in the margin. *Horſm.* 643.

A ſettlement before marriage. The mother of the intended huſband joins in it. A term

Before marriage *continued.*

created to raise portions and maintenances for daughters. A power to the husband (if there be no son) to charge a sum for younger children. The husband covenants to leave a sum of money to the wife; jointure, leasing power, &c. *Horsm.* 657.

A settlement before marriage, by the intended husband, of her estate; being freehold, leasehold, a bond, goods, &c. as to most part, to the husband, during their joint lives, towards house-keeping; as to other part, to her separate disposal; and as to other part, to the husband as a portion; for which she on surviving him is to have an annuity for life. *Horsm.* 663.

A settlement before marriage; by which the husband, in pursuance of a power by a settlement of his father, limits a jointure (in part) out of the settled lands; and charges portions for younger children. The wife being intitled to several provisions by wills, &c. part of her portion is paid to the husband; a part is to be applied to purchase a part of the lands settled for her life after the husband's death, for increase of jointure; some money to pay his father's debts and legacies in aid of the personal estate; some to her separate use. The husband covenants to procure decrees or acts of parliament for several purposes relating to this settlement. *Horsm.* 669.

A settlement before the marriage of a widow to her second husband. A leasehold interest, a mortgage of copyholds, a mortgage in fee, South-Sea stock, jewels, household-goods, &c. are hereby disposed of: some to the husband, others to trustees for the wife's separate

use and disposal, powers, &c. *as in the margin.* *Horsm.* 679.

Before marriage continued.

A settlement before marriage of pin-money, or an annuity to the wife for her separate use: the father covenants to pay it, and transfer stock and annuities to secure it, the husband having paid him a consideration. The father, with approbation, &c. may settle lands, in lieu, &c. If no issue, the husband is to pay back part of the portion. A covenant for the wife's enjoying and disposing of jewels. This void, if marriage not had within a certain time. *Horsm.* 681.

A short settlement before marriage, by lease and release, (this being the release) of lands; by the wife's father, to the use of the husband and wife, their heirs and assigns. *Horsm.* 686.

One part of a settlement before marriage; the husband having settled other lands by another deed. The wife, who is devisee in tail (with the heir at law to save the charge of proving the will) releases, &c. the devised messuages, in order to a recovery to the use of the husband in fee, as part of her portion. *Horsm.* 688.

A settlement before marriage, of freeholds, leaseholds, and copyholds, by the husband's father. Power to trustees, with consent, to sell and reinvest the money in a purchase. A covenant by the father, to pay a sum to the husband. The wife, who is daughter of a freeman of London, and has children by a former husband, gives part of her fortune to her intended husband for a portion; and settles the residue; part to her children, and part to be at her own disposal. *Horsm.* 691.

Before marriage *continued.*

A marriage settlement of great variety, and containing several uncommon declarations. The brother and grand mother of the husband join in it. She settles a jointure on the wife, determinable on failure of issue male of this marriage; and the husband settles a jointure to take place on failure of the foregoing. There is a provision for pin-money, to be increased upon a contingency. The wife's portion and South Sea annuities of the husband are to be settled in the hands of trustees for raising portions and maintenances for younger children, &c. &c. *Horsm.* 703.

A settlement before marriage, referring to another deed of this date. The wife, with the husband's consent, releases lands, and assigns terms and goods to trustees, to be at her disposal: and if no disposition, to her brother's children. Part of the lands (comprized in the other deed) subject to her husband's estate for life. *Horsm.* 722.

A settlement by a grandson in pursuance of his grandfather's will. The surviving devisee in trust is also a granting party. The will is in substance recited. Recoveries to be suffered; the uses of them declared. Limitations (after himself for life, and his sons in tail male) by moieties to two aunts, and their sons in tail male; then to their respective daughters. Cross remainders, and other collateral remainders, &c. *Horsm.* 1017.

A settlement before marriage of freehold estates; with power of revocation. 3 *Pow. Wood*, 641.

Of freehold and leasehold estates to the separate use of the wife. *Ibid.* 650.

A ſettlement before marriage of freehold and leaſehold premiſes and money in the funds, in great many powers and proviſions. 2 *Powell Wood*, 673. Before marriage covenanted.

Settlement of a policy of inſurance upon the life of the ſettler; the monies to ariſe thereon ſettled on natural children and their mother, with a variety of contingent limitations. 3 *Pow. Wood*, 702. (*Y. P.*)

A ſettlement before marriage, whereby the huſband in conſideration of the wife's fortune, conveys a freehold eſtate to truſtees, for the purpoſe of paying the rents to the wife during life, and after her death to raiſe a ſum of money, with the payment of which the wife is hereby empowered to charge the eſtate. 1 *Wms.* 1666. (*M. Duane*).

A ſettlement before marriage, whereby the father of the intended huſband aſſigns a conſiderable leaſehold eſtate to truſtees in truſt to ſecure to the wife for her ſeparate uſe, during coverture, the payment of an annuity: after the death of huſband and wife, the truſtees are to ſtand poſſeſſed of the premiſes for the benefit of the children of the marriage. 1 *Wms.* 1693. (*T. Salt*).

A ſettlement before marriage, whereby the intended huſband covenants to ſecure to the wife an annuity, and alſo a jointure after his death, in proportion to her fortune, according to a power in a will authoriſing him ſo to do. The huſband likewiſe covenants to obtain an act of parliament to enable him to provide for the children of the marriage. 4 *Wms.* 1726. (*Maire, Bath, Harpur.*)

A ſettlement before marriage, whereby the huſband's father covenants in conſideration of

Before marriage continued.

the marriage, and of money received from the lady's father, to secure to the son, during life, an annuity, and also to purchase for him with part of the money, a rank in the army. He likewise covenants to place part of the lady's fortune in the funds, and to pay a further sum to trustees to be settled upon various trusts for the benefit of husband and wife and the children of the marriage. Part of the lady's fortune is herein settled for the benefit of a daughter by a first husband. 4 *Wms.* 1777. (*M. B.*)

A settlement before marriage of the wife's real and personal estates. 4 *Wms.* 1586.

A settlement before marriage of bank-annuities transferred by the wife's father to trustees. 4 *Wms.* 1652. (*W. Rivet.*)

A settlement before marriage of freehold and copyhold estates, bank annuities, and South-Sea annuities, the property of the wife. 4 *Wms.* 1801. (*W. S.*)

After marriage.

Settlement after marriage of lands by lease and release, and assignment; an heir and administrator of a *cestui que trust* join. (*short*). 1 *Bridgm.* 109.

Settlement after marriage of lands, &c. by lease and release; great variety of limitations and provisions, (*well drawn*). 1 *Bridgm.* 205.

Settlement after marriage by lease and release in pursuance of previous articles. (*short*) 1 *Bridgm.* 332.

Settlement after marriage in pursuance of articles entered into before marriage. 2 *Bridgm.* 417.

A settlement after marriage. (*short, but well drawn.*) *Lil.* 769.

A ſale and ſettlement after marriage, reciting a ſettlement made before marriage, by which part of the wife's portion remaining in her father's hands and part of the huſband's fortune, being the produce of exchequer annuities, and other perſonal eſtate moving from his brother, were agreed to be inveſted in a purchaſe of lands to be ſettled. This is now done by purchaſing from the huſband, and ſettling certain lands which he has purchaſed ſince the marriage. *Horſm.* 974. After marriage *continued.*

A ſettlement after marriage, of lands of the huſband, which he had lately purchaſed, and now grants and ſettles, in conſideration of a part of certain monies arifing by the ſale of South-Sea ſtock, which by a ſettlement before marriage was covenanted to be laid out in a purchaſe of lands to be ſettled. An annuity for a jointure; proviſions for portions and maintenances; a leaſing power with reſtrictions; a proviſo to make void the uſes on ſettling lands of equal value. *Horſm.* 987.

A ſettlement after marriage, of lands by the huſband in lieu of long-annuities, which by marriage articles he covenanted to ſettle to the uſe of himſelf, wife, and younger children; and which were ſubſcribed into the South-Sea ſtock, and are become inſufficient. The marriage articles containing a power of revocation, with conſent of certain parties. This deed does the like, and contains ſeveral powers as to making leaſes, &c. *Horſm.* 995.

A ſettlement after marriage, (of lands ſince purchaſed by the huſband) in conſideration of money arriſing by the ſale of part of the lands formerly ſettled, and which he had power to

After marriage continued.

ſell on ſettling an equivalent; and in conſideration of the wife's portion, and of a ſum paid on the marriage by his father. The father conſents that the laſt remainder in fee be not limited to himſelf, as before, but to the huſband. A power to ſell or exchange quit-rents, &c. in part, &c. the money to be laid out, and ſettled to like uſes. *Horſm.* 1011.

A ſettlement after marriage, reciting a ſettlement and articles before marriage, by which the huſband ſettled lands of a certain value, and covenanted to lay out a ſum in ſecurities, before the marriage, to be afterwards ſold and inveſted in a purchaſe, to be ſettled to like uſes; (*inter alia*) for jointure, in bar of dower and of the cuſtom of London; and a proviſo to impower him to ſettle other lands in lieu of the former: and having made purchaſes of greater value, theſe are now ſettled by this deed, &c. with like power, to ceaſe the uſes, on ſettling other lands of like value, with approbation, &c. (*many other matters, as in the margin.* *Horſm.* 1003.

A ſettlement after marriage, to provide for the wife, (who has ſurrendered her jointure at the huſband's requeſt) and for three daughters. He grants, &c. to truſtees, lands, to ſell part, ſome of the money to pay off a mortgage, ſome to be laid out for the wife's benefit, and ſome for the daughters. Out of the lands not to be ſold an annuity to the wife. A term raiſed for the better payment of it. For the more particular directions, &c. See the margin. *Horſm.* 1023.

A ſettlement after marriage. The wife being intitled to money-legacies by the wills of an uncle and brother; and the huſband being,

entitled to an eſtate in Jamaica; the huſband and wife by a former deed aſſigned the uncle's legacy to a truſtee, and directed how he ſhould apply the intereſt (as in the margin); and the huſband having covenanted to pay ſome Jamaica money to the truſtee, to be with this legacy, inveſted in a purchaſe; the huſband's money not being paid, this deed directs her two legacies to be laid out in purchaſes to be ſettled to different uſes. The truſtee ſettles freehold, and agrees to ſurrender copyholds ſeverally, to the ſeveral uſes (by conſent). The latter to the uſe of the wife. *Horſm.* 1051. After marriage continued.

A ſettlement after marriage, of lands of the wife, in confirmation of a ſettlement before marriage. Covenant to levy fines, (in C. B. of freeholds; and in a manor-court, of lands in ancient demeſne) that recoveries may be ſuffered. The uſes declared of part to raiſe an annuity for the wife, in lieu of one provided by the former ſettlement. An appointment by the wife of the uſes of copyholds; many other powers, &c. for her benefit, &c. *Horſm.* 1038.

A purchaſe and ſettlement of lands, in conſideration of part of the wife's fortune; which was bank-ſtock, and by marriage-articles was liable to be ſold and laid out in lands; ſubject to the uſes in the articles, for the benefit of huſband and wife by moieties, and their children, with a great variety of diſpoſitions mentioned in the margin. In this purchaſe the huſband is one of the *ceſtuy que truſts*, and was alſo remainder-man in fee of the former eſtate. *Horſm.* 1049.

A ſettlement after marriage, by the huſ-

Settlements aft. marria. continued.

band, of a third part of fee-farm rents, for part of a jointure to his wife, in virtue of the wills of his maternal grandfather and his father, and a deed of trust made by his mother, who was deviſee in truſt. There were cross remainders between him and two younger brothers. The wife's portion, and a ſum added by the huſband, are alſo to be laid out in lands to be ſettled. Proviſions for younger children. *Horſm.* 1057.

A ſettlement of lands after marriage, by the huſband, to whom the father-in-law hath lent a ſum of money, equal to a ſum which he had agreed to pay as an additional portion, upon a contingency which may poſſibly not happen; yet he now remits it; and the ſon-in-law is to pay him an annuity for life. *Horſm.* 1066.

Note. *In this ſettlement is a power for huſband and wife, or ſurvivor, to appoint for children.*

A voluntary ſettlement after marriage, to provide for a wife, and children unprovided for, they marrying with their mother's conſent. A power of revocation to huſband and wife ſucceſſively, &c. *Horſm.* 1071.

Schedule.

SCHEDULE.

A SCHEDULE of debts. 2 *Bridgm.* 383.

Statute ſtaple.

STATUTE STAPLE.

A STATUTE STAPLE. (*Latin*) 2 *Bridgm.* 49.

SURRENDERS.

SURRENDER of a mortgage term to the mortgagor on repayment of the mortgage-money after forfeiture. 1 *Bridgm.* 93.

The like by aſſignees of a mortgage term. *Ibid.* 14.

The like by a ſurviving executrix of the mortgagee. *Ibid.* 224.

Surrender of tenants leaſes to enable the reverſioner to make a jointure and proviſions for children (*this was thought neceſſary on account of the ſtrict wording of the powers in the ſettlement*). 1 *Bridgm.* 188.

Surrender of a leaſe for years which had been made as a ſecurity againſt recognizances. 1 *Bridgm.* 311.

Surrender of a term granted by will. 2 *Bridgm.* 22.

Surrender of the office of a collector, to the king. *Ibid.* 160.

Surrender of leaſe to landlord. *Ibid.* 158.

A ſurrender of copyholds previous to the admiſſion of the ſubſequent tenant. *Horſm.* 280.

The ſurrender of a tenant, on admiſſion, to the uſe of her will. *Ibid.* 281.

A ſurrender of a copyhold, to ſecure part of a daughter's portion, (*this was before her marriage.*) *Horſm.* 281.

A biſhop's leaſe for three lives being mortgaged for years to a truſtee for another; the executors of the truſtee, by direction of *ceſtuy que truſt*, ſurrender the term to a purchaſer of

Surrenders continued.

the leaſe, in order to merge it; that he may ſurrender and renew, one of the lives being dropt. The purchaſer covenants to renew, and make a new demiſe after renewal. *Horſm.* 1097.

A ſurrender by a jointreſs, of part of her jointure lands, to her ſon, who is ſeiſed of the reverſion in fee. *Horſm.* 1099.

A ſurrender by a mortgagee, to the mortgagor, of part of the mortgaged lands; a great part of the money being paid off. *Horſm.* 1100.

Memorandum of ſurrender indorſed on mortgage deed. 2 *Bridgm.* 185.

The like indorſed on aſſignment. *Ibid.* 184.

Term.

TERM.

Purchaſer.

INSTRUCTIONS relative to the mode of a purchaſer of mortgaged premiſes keeping the term alive to attend the inheritance. 2 *Bridgm.* 392.

The like in reſpect of veſting the legal eſtate in truſtees of the purchaſer where the mortgage is in fee. *Ibid.*

Teſtimonials.

TESTIMONIAL.

TESTIMONIALS of wife's conſent of her huſband's revocation of truſts, &c. 1 *Bridgm.* 146.

Truſts.

TRUSTS.

Annuities.

TRUST to permit wife to receive an annuity by way of jointure. 1 *Bridgm.* 151.

Deed of truſt to inſure a further proviſion for a wife beſides her jointure. 2 *Bridgm.* 292.

A truſt in a deed of feoffment for the payment of an annuity to children. 2 *Bridgm.* 77.

Proviſo in a mariage ſettlement for raiſing annuities by way of uſe of a recovery. 2 *Bridgm.* 35.

Truſt in an aſſignment, that an eſtate ſhall be charged with an annuity formerly granted, and that truſtees ſhall diſcharge the ſame out of the rents, &c. and pay the ſurplus to the aſſignor for life and afterwards to his appointment. 2 *Bridgm.* 31.

Truſt to execute ſuch deeds, &c. as a lady whether covert or ſole ſhall direct. 2 *Bridgm.* 68. Execute deeds.

A truſt in a ſettlement to exonerate ſuch eſtates as wife ſhall appoint, and permit her to recover the property till appointment. 1 *Bridgm.* 132. Exonerate eſtates.

Truſt to make and renew leaſes. 2 *Bridg.* 79. To make leaſes.

Truſt to diſpoſe of rents, &c. during the heir's minority, as his father ſhall appoint. 1 *Bridgm.* 202. To pay and apply monies.

Truſt to diſpoſe of the rents, &c. of an eſtate for the wife's benefit. 1 *Bridgm.* 294.

Truſt of a term out of the fee to pay an annual ſum to the huſband for his perſonal maintenance and expences. 1 *Bridgm.* 208.

The like to pay an annual ſum to a creditor. *Ibid.* 307.

Truſt that the huſband ſhall pay legacies which may be left by his wife. 2 *Bridgm.* 170.

Truſt to pay certain debts and portions to children. 2 *Bridgm.* 55.

To pay annuities for children's portions. *Ibid.* 77.

Raiſe portions. Truſt of a term in ſettlement to raiſe portions for daughters. 1 *Bridgm.* 155 176.

The like in caſe the father marry a ſecond wife. *Ibid.* 302.

To receive rents. A truſt to permit inheritable heirs to receive rents, &c. of premiſes charged with an annuity, till default in payment of ſaid annuity. 1 *Bridgm.* 154.

To retain money. Truſt that truſtees may retain their expences. 1 *Bridgm.* 132. 147.

Deed of truſt that truſtee ſhall retain a certain ſum out of the rents and profits of an eſtate, and pay the ſurplus agreeably to direction. 2 *Bridgm.*

To ſell. A truſt in a mortgage to ſell in default of paying the mortgage-money. 3 *Pow. Wood,* 423.

To ſurrender. Truſt to ſurrender eſtate after truſts performed, or permit the perſons entitled thereto to enjoy the ſame. 1 *Bridgm.* 127.

A truſt to ſurrender an eſtate to the heir at law if perſonal eſtate ſufficient to pay debts. 1 *Bridgm.* 142.

Or if no daughters. *Ibid.* 177. 214.

Warranty.

WARRANTIES.

WARRANTY againſt all claiming under leſſor. 1 *Bridgm.* 17.

Under feoffors. *Ibid.* 19.

Warranty against all claiming under feoffor, his father or grandfather. 1 *Bridgm.* 24.

Under vendor, his wife, or other perſons whomſoever. *Ibid.* 73.

General warranty of a lordſhip, manor, &c. (*very full*). 2 *Bridgm.* 196.

WARRANTS OF ATTORNEY.

Warrant of attorney.

WARRANT of attorney to acknowledge ſatisfaction upon a judgment. 2 *Bridgm.* 74, 140.

Warrant of attorney to appear and ſuffer a recovery of copyholds in a manor court, with covenant not to revoke. 2 *Bridgm.* 552.

WILLS.

Wills.

A WILL of real, perſonal, and truſt eſtates, a variety of deviſes and bequeſts; (*perſpicuouſly and accurately drawn.*) 2 *Bridgm.* 141.

Another will of ſimilar character, *Ibid.* 149.

Other wills. (*ſhort*). 2 *Bridgm.* 513. 514.

Deviſe of guardianſhip of children to truſtee's wife; with ſpecial directions relative to the education of ſons. 2 *Bridgm.* 517.

A will of lands, &c. (*ſpecially drawn, with various limitations*), &c. *Lil.* 797.

A will of real and perſonal eſtate; an additional portion to a married daughter, to be accepted in lieu of claim under the cuſtom of London. Rent-charges to truſtees in favour of three married daughters, for their ſeparate uſe. Eaſt-India ſtock to the truſtees, for the benefit of the daughters, and their reſpective

children; remainder over to a grandſon. Money to be laid out in lands, to be conveyed to a corporation, in truſt for a charity, and to repair a monument. An appointment of money among his children, in purſuance of a power. Deviſe of lands to a ſon in fee, ſubject to the rent-charges. Reſiduum of perſonal eſtate to the ſame ſon; who is appointed ſole executor. *Horſm.* 1122.

Deviſe to place out poor boys apprentice. *Horſm.* 1125.

A will of freeholds, copyholds, leaſes for years, money, jewels, debts, &c. limitations for life, in tail, &c. legacies abſolute, or upon condition; to charities, to ceaſe in a certain caſe. Truſtees made executors, with ample powers to manage a minor's eſtate: and indemnity to them. *Horſm.* 1127. *See the next Precedent, being a codicil to this will.*

A codicil to the foregoing will, laying aſide one of the executors, and appointing another. A new rent-charge, and ſeveral legacies are given, and ſome are revoked. *Horſm.* 1130.

A will by a feme covert, reciting a power given to her by her marriage-articles. She gives all to her huſband; appoints him ſole executor; deſires to be buried with him, &c. *Horſm.* 1131.

A will giving ſome legacies to the poor; and appointing a wife to be executrix, and guardian to the teſtator's children; with ſubſtitution of others in caſe of her death; and the reſiduum deviſed to her and her apprentices. The bulk of the eſtate was ſettled by deeds executed by the teſtator, with power of revocation. *Horſm.* 1133.

Will of real and perſonal eſtate, with a variety of limitations and proviſions for children. 3 *Pow. Wood*, 853. (*J. J. P.*)

Will, whereby the teſtator charges monies on his eſtates, and executes other powers in purſuance of his marriage-ſettlement, which he confirms, (*a great variety of truſts and limitations fully drawn*). 3 *Pow. Wood*, 858.

A codicil to the above will bequeathing annuities and legacies. *Ibid.* 879.

A nuncupative will. *Lil.* 812.

Clauſe in a will that if legatee ſue or moleſt the reſt, the legacy to be void. *Lil.* 812.

A codicil to add a truſtee to a will of lands, to deviſe lands purchaſed ſince the will, to the uſes in the will; and to declare portions to be ceaſed, by having advanced daughters in marriage with equal portions. *Horſm.* 1134.

A will of freeholds, copyholds, leaſeholds, and monies in the funds. 4 *Wms.* 1843. (*Booth*)

A will of freehold, copyhold, leaſehold, and perſonal eſtates; the teſtator deviſes the ſame to truſtees to ſecure an annuity to his wife, and provide for any children that he might have by her; and in default of iſſue he deviſes the ſame ſubject to the annuity, &c. to the eldeſt ſon of his uncle; charged with the payment of monies. 4 *Wms.* 1857. (*J. N.*)

A deviſe of copyhold lands to be ſold, the money to be divided amongſt the teſtator's children. 4 *Wms.* 1861. (*J. W. W.*)

A bequeſt to children. 4 *Wms.* 1863. (*J. W. W.*)

A codicil to a will. 4 *Wms.* 1864.

Words.

WORDS.

GOOD general words of a manor, rectory, &c. 1 *Bridgm.* 22, 231. 251.

Writ.

WRIT.

A WRIT of privy ſeal directed to the juſtices of the Common Pleas to empower them to take the fine of an infant. 2 *Bridgm.* 547.

ERRATA AND ADDENDA.

Page v, for "in general" read "ſometimes."
9, for 1 *Wms.* read 4 *Wms.*
for *Ibid.* 425, read *Horſm.* 425.
64, for "conſidered" read "worded."
80, for "of the truſt" read "of truſt."
96, for "late" read "take."

N.B. *The following References were accidentally omitted.*

P. 90. Grant of an annuity ſecured by an aſſignment of money outſtanding on mortgage. 3 *Pow. Wood,* 37.

Grant of a reverſionary annuity out of lands, &c. *Ibid.* 41. *(1. I. P.)*

Grant of an annuity ſecured on the *reſiduum* of a teſtator's real and perſonal eſtates. *(very ſpecial covenants). Ibid.* 47.

P. 95. Reverſionary leaſe by a tenant for life, by virtue of a power in an act of parliament. 3 *Pow. Wood.* 142.

Leaſe of a houſe to commence at a future period, on the tenant's expending a certain ſum in repairs. *Ibid.* 144.

Leaſe of a houſe by a tenant in tail (*many ſpecial covenants.*) *Ibid.* 147.

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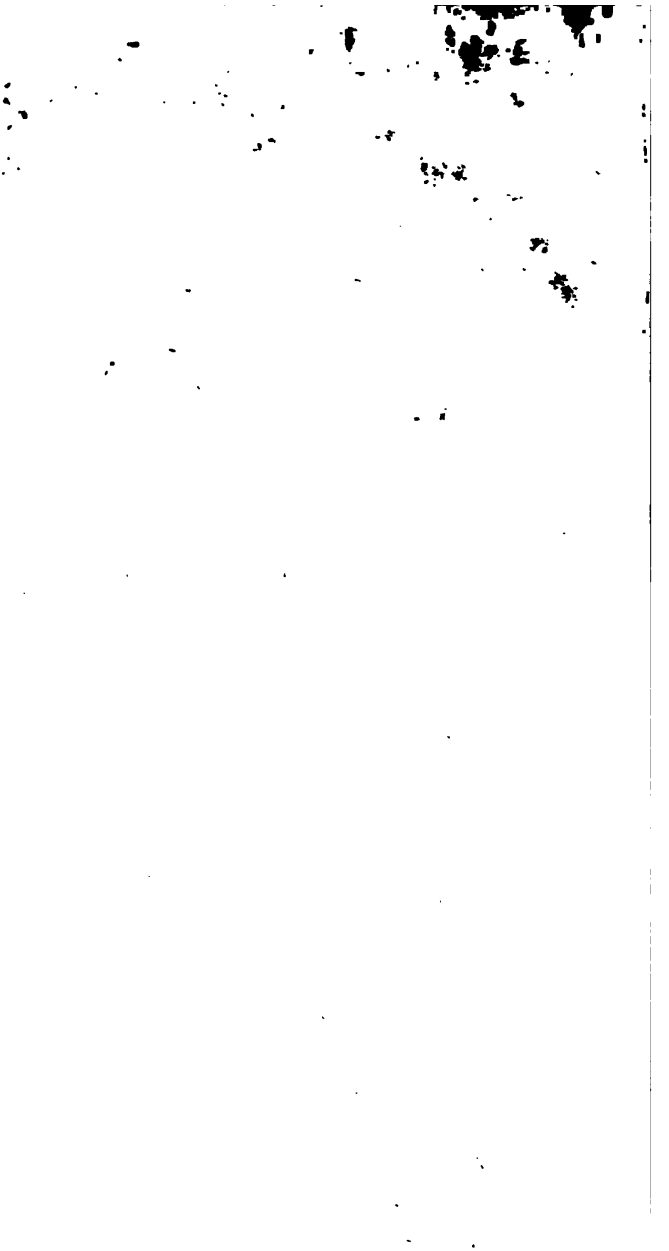
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